

SENATE.

WEDNESDAY, December 4, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that in this great Union of sovereign States there is a dominant spirit of submission to the Divine will. Throughout the length and breadth of this land there are multiplied millions who reverence the name of the God of our fathers. We pray that Thy servants in the Senate, expressing the thoughts and ideals of the great States of the Union, may also have a consciousness of the Divine presence and a supreme desire to honor and reverence Thy holy name. Give us to-day Thy guidance as we commit ourselves to the unerring counsel of the Divine mind. For Christ's sake. Amen.

IRVINE L. LENROOT, a Senator from the State of Wisconsin, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

PRICE OF WHEAT.

Mr. GRONNA. Mr. President, I have before me a letter written by Judge Glasgow, chief counsel of the Food Administration, which I am going to ask to have read. I deem it of great importance, and I am only sorry that so few Senators are present.

However, before the letter is read, if I may be permitted, I want to say that I have received a great many letters not only from citizens of my State but from citizens of other States with reference to the guaranteed price of wheat for the year 1919. I have answered a great many of them and stated the facts as I understand them to be. I have read in some of the newspapers of the country that the guaranteed price of wheat for 1919 could in fact not be carried out, but that the wheat guaranty would end with the war. This, as I understand it, not only places the Food Administration and the Department of Agriculture in a false light, but I think it also reflects upon the Chief Executive of the Nation, because the President of the United States has by proclamation fixed the price of wheat for 1919. While it is true, Mr. President, that no appropriation has been made for putting into effect the organization necessary to carry it out, that can, of course, be done by Congress, and I expect it will be done by Congress. Such an agency was designated to carry out this agreement for 1918, and I assume that Congress will enact legislation that will make it possible to carry out the guaranty for 1919.

I ask to have the letter read at the Secretary's desk, and I also ask that the proclamation made by the President of the United States on September 2, 1918, and which is printed in the Official Bulletin, be printed in the Record.

The VICE PRESIDENT. Without objection, leave will be granted, and the Secretary will read as requested.

The Secretary read the letter, as follows:

UNITED STATES FOOD ADMINISTRATION,
Washington, D. C., December 3, 1918.

Hon. ASLE J. GRONNA,
United States Senate, Washington, D. C.

DEAR SENATOR: Referring to our conversation this morning, I have seen in at least one newspaper the statement that "the wheat guaranty is to end with the war," and I have seen in at least one newspaper the statement that "the conclusion of peace will terminate the effectiveness of the Government's guaranteed price for the 1918-19 wheat crop," and there could not be a more misleading or more inaccurate statement, as it is directly contrary to the act of Congress, the proclamation of the President made in pursuance thereof, and the uniform information given out by the officers of the Food Administration and the Grain Corporation.

By the proclamation of February 21, 1918, the President fixed the guaranteed price for wheat harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, and to carry out and make effective the guaranty for the 1918 harvest the President by Executive order of June 2, 1918, designated the Food Administration Grain Corporation as the agency of the United States for the purpose.

By proclamation of September 2, 1918, the President, under the authority of the act of Congress known as the Lever Act, fixed and determined the reasonable guaranteed price of wheat for the crop of 1919 for the principal primary markets, such price being \$2.26 at Chicago and at other markets at a relative price, and the proclamation proceeds as follows:

"The sums thus determined and fixed are guaranteed by the Government of the United States at the principal primary markets of the United States, above mentioned, to every producer of wheat at any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States or other person as may be hereafter designated, etc."

While the agency has been designated for the 1918 crop, the agency to carry out this guaranty for the 1919 crop has not yet been designated.

Therefore the end of the war or the proclamation of peace does not in any way affect the present guaranteed price made by the United States Government for the wheat harvested in the year 1919. The only condition to the effectiveness of the guaranty is that such wheat

should be offered for sale before the 1st day of June, 1920. Neither the officers of the Food Administration nor of the Grain Corporation have ever suggested any other view or have expressed any other opinion.

It is proper for me to say, however, that it is very probable that it will be necessary that Congress should be called upon to aid financially and perhaps by the creation of additional agencies to make good the guaranty as to the wheat harvested in the year 1919, and when the proper time comes and sufficient information is at hand upon which to base a recommendation Congress will undoubtedly be apprised of the whole situation and its powers be invoked for the maintenance of the guaranty made under its authority.

Believe me, very truly,

W. A. GLASGOW, JR.,
Chief Counsel.

The proclamation by the President of the United States is as follows:

PRESIDENT EXPLAINS PLANS TO INSURE FAIR WHEAT PRICE FOR CROPS GROWN IN 1919—BASIS OF GOVERNMENT GUARANTY—COMMISSION TO BE APPOINTED NEXT SPRING TO REPORT ON ALL FACTORS NOW OR THAT MAY THEN EXIST TO GUIDE HIM IN DECISIONS.

MEMORANDUM.

SEPTEMBER 2, 1918.

In issuing to-day the Government's guaranty of the same price for the 1919 wheat crop that was guaranteed for the 1918 crop I wish it to be understood that in the spring of 1919 I will appoint a disinterested commission, who will secure for me the facts by that time disclosed as to the increased cost of farm labor and supplies, using the three-year prewar average prices of wheat, of labor, and of supply costs as a basis, and that from this information I shall determine whether there should be an increase in price above the present level, and, if so, what advance, in order to maintain for the farmer a good return. Should it then appear that an increase is deserved over the present guaranty, however, it will be applied only to those who have by next harvest already marketed their 1918 wheat.

It is the desire and intention of all departments of the administration to give to the wheat grower a fair and stimulative return in order that the present acreage in wheat may be maintained.

I find a great conflict of opinion among various sections of the country as to the price that should be named as a minimum guaranty. It must be obvious to all, however, that the factors which will make for increased or decreased cost of production of next year's harvest can not be determined until the near approach to the harvest.

In giving a guaranteed price for wheat one year in advance (the only industry guaranteed by the Government) there is involved a considerable national risk. If there should be peace or increased shipping available before the middle of 1920, Europe will naturally supply itself from the large stores of much cheaper wheat now in the Southern Hemisphere; and therefore the Government is undertaking a risk which might in such an event result in a national loss of as much as \$500,000,000 through an unsalable surplus; or, in any event, in maintaining a high level of price to our own people for a long period subsequent to freedom in the world's markets.

Despite this, the desirability of assuring a supply to the world of prime breadstuffs by insuring the farmer against the fluctuations in prices that would result from the uncertainties of the present situation and from the speculation those uncertainties entail, seems to me to make the continuation of the guaranty for another year desirable. On the other hand, it is clear that before increasing this liability by large sums with the risks set forth above, and before increasing the burden of the consumer, the matter should be subjected to searching inquiry at the appropriate time—the time when the pertinent facts will be known.

I feel confident that with this preliminary fixed guaranty, and with the assurance that justice will in any event be done to the grower, he will continue the fine patriotic effort by which he has served the country hitherto; that the Government will have acted prudently; and that the consumer will be satisfied that his interests are not unduly sacrificed, but just and exhaustive consideration given to every element of the matter at the proper time.

WOODROW WILSON.

PROCLAMATION GUARANTEEING PRICE FOR THE WHEAT CROP GROWN IN 1919 IS ISSUED BY PRESIDENT WILSON.

[By the President of the United States of America.]

A PROCLAMATION.

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided, among other things, as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States

shall have the benefits of the guarantee provided for in said section, and in order to make effective the guaranty by Congress for the crop of 1919 and to assure such producers a reasonable profit I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

New York, N. Y., \$2.39½ per bushel.
Philadelphia, Pa., \$2.39 per bushel.
Baltimore, Md., \$2.38½ per bushel.
Newport News, Va., \$2.38½ per bushel.
Duluth, Minn., \$2.22½ per bushel.
Minneapolis, Minn., \$2.21½ per bushel.
Chicago, Ill., \$2.26 per bushel.
St. Louis, Mo., \$2.24 per bushel.
Kansas City, Mo., \$2.18 per bushel.
Omaha, Nebr., \$2.18 per bushel.
New Orleans, La., \$2.28 per bushel.
Galveston, Tex., \$2.28 per bushel.
Tacoma, Wash., \$2.20 per bushel.
Seattle, Wash., \$2.20 per bushel.
Portland, Oreg., \$2.20 per bushel.
Astoria, Oreg., \$2.20 per bushel.
San Francisco, Cal., \$2.20 per bushel.
Los Angeles, Cal., \$2.20 per bushel.
Salt Lake City, Utah, \$2 per bushel.
Great Falls, Mont., \$2 per bushel.
Pocatello, Idaho, \$2 per bushel.
Spokane, Wash., \$2 per bushel.

And that the guaranteed price for the other grades established under the United States grain standards act, approved August 11, 1918, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets as the basis.

For the purposes of such guaranty only I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit, No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 Durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above-guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 2d day of September, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

[SEAL.]

WOODROW WILSON.

PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present resolutions adopted by the congregation of the First Congregational Church, of Decatur, Ill., in regard to the observance of a universal Thanksgiving Day. I ask that they be received and properly referred.

The VICE PRESIDENT. The resolutions will lie on the table.

Mr. SHERMAN. I present a copy of a resolution from the Home Market Club, of Boston, Mass., in regard to the preparation of peace conditions, which I should like to have printed in the Record. It is very short.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION IN FAVOR OF A PROTECTIVE TARIFF.

We remind the people of the country that we were unprepared for war. We warn the country that we are unprepared for peace. While every other great nation among the belligerents has given careful and constant study to the problems of reconstruction, we face the future without plan or program or preparation. We still retain upon our statute books a tariff law passed nearly a year before the outbreak of the war and which is entirely unsuited to the new conditions which will confront us now that the war has ended. It was clearly demonstrated before the war that the Underwood-Simmons tariff law brought distress to the country, unemployment to labor, and loss and bankruptcy to business. The energies of the Nations will now be directed to industry and commerce. Competitive conditions will be restored and the struggle for world markets will be renewed. The war brought tremendous expansion to our industries and largely increased wages to labor. These industries can not prosper nor can labor be properly remunerated if competition with foreign countries is unregulated and the importation of competitive goods is unrestricted. We believe in the maintenance of the American standard of living, in the ample reward of labor, and in a fair profit for business enterprise. These ends can be obtained only by such a measure of protection as will safeguard our industries, and we respectfully urge upon Congress the necessity of reenacting an adequate protective tariff.

Mr. HALE presented a petition of sundry citizens of Maine, praying for the enactment of legislation to prevent any German or Austrian reservist or other person opposed to the United States from returning to the United States for any purpose whatever, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented resolutions adopted by the New England Hardware Dealers' Association, favoring universal mili-

tary training and the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the South Middlesex Conference of Unitarian Churches of Massachusetts, favoring the establishment of a league of nations to maintain peace, which were referred to the Committee on Foreign Relations.

Mr. MOSES presented resolutions adopted by Local Division No. 1, Ancient Order of Hibernians, of Manchester, N. H., requesting the President to use his influence in securing the freedom of Ireland, which were referred to the Committee on Foreign Relations.

ARKANSAS RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., and I submit a report (No. 615) thereon. I call the attention of the Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 5086) amending the act approved March 3, 1918, relative to the incorporation of the National Conservatory of Music of America; to the Committee on the Library.

By Mr. POINDEXTER:

A bill (S. 5087) granting one month's extra pay to all officers and enlisted men honorably discharged from the Army, Navy, or Marine Corps on or after November 11, 1918; to the Committee on Military Affairs.

By Mr. BANKHEAD:

A bill (S. 5088) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. GORE:

A bill (S. 5089) to provide for the acquisition of a site and the erection thereon of a public building at Henryetta, Okla.; and

A bill (S. 5090) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

CONTROL OF RAILROADS.

Mr. SMITH of Georgia. Mr. President, I send to the desk a bill which I ask to have read.

The VICE PRESIDENT. In full?

Mr. SMITH of Georgia. Yes. It is short. I wish to say that I consider it pertinent to perhaps the most important problem of our reconstruction. It deals somewhat with the railroad problem and suggests a step preparatory and probably necessary to the return of the railroads to their owners.

The bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918, was read the first time by its title, the second time at length, and referred to the Committee on Interstate Commerce, as follows:

A bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918.

Be it enacted, etc., That the "Act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, be, and the same is hereby, amended as follows:

That the following provision of section 10 of said act is hereby repealed:

That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination.

Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control, and may consider all the facts and circumstances existing at the time of the making of the same. In determining any question concerning any such rates, fares,

charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition.

"After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said act: *Provided, however*, That when the President shall find and certify to the Interstate Commerce Commission that in order to defray the expenses of Federal control and operation fairly chargeable to railway operating expenses, and also to pay railway tax accruals other than war taxes, net rents for joint facilities and equipment, and compensation to the carriers, operating as a unit, it is necessary to increase the railway operating revenues, the Interstate Commerce Commission in determining the justness and reasonableness of any rate, fare, charge, classification, regulation, or practice shall take into consideration said finding and certificate by the President, together with such recommendations as he may make."

That the following provision is hereby substituted for the provision repealed:

"Sec. 2. That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct; but the Interstate Commerce Commission may of its own initiative, and shall upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President, heretofore or hereafter made, as establishes or changes any rates, charges, classifications, regulations, or practices of any carrier under Federal control, and may consider all the facts and circumstances in connection therewith, and said rates, fares, charges, classifications, regulations, and practices may be suspended or modified by the commission pending final determination.

"After full hearings the commission may make such findings and orders as are authorized by the act to regulate commerce, as amended, and such findings and orders shall be enforced as provided in said act."

Mr. SMITH of Georgia. If the Senate will permit me for just one moment, I will state that the object of this bill is to strike out from the present act authorizing the control of the railroads by the President the provision that permits changes to be made by the President or by the Director General of Railroads in the rates, fares, regulations, and management of the railroads without the control of the Interstate Commerce Commission. This bill will restore to the Interstate Commerce Commission the right to suspend any order passed by the Director General of Railroads with reference to rates or to review and modify any such order on its own initiative without waiting for complaints. It is intended to entirely restore to the Interstate Commerce Commission, now that the war is over, the jurisdiction over railroads and rates, even though in the hands of the President, which it had when they were in the hands of private owners.

MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. Mr. President, on October 5, 1917, the Senate passed a joint resolution suspending the section of the Revised Statutes requiring certain annual assessments and improvements to be made upon mining claims. Congress has passed a special act relating to assessments for the Territory of Alaska. It was thought for some time that the joint resolution applied to Alaska as well as to the continental part of the United States.

A very serious question has been raised as to whether or not that is true; and in order to avoid complications I have prepared a joint resolution extending the provisions of the joint resolution of October 5 to Alaska. I desire to present it and have it referred to the Committee on Territories. I trust that the chairman of the Committee on Territories will call the committee together at an early date to consider the matter.

The joint resolution (S. J. Res. 190) extending to the Territory of Alaska the provisions of the joint resolution entitled "Joint resolution to suspend the requirements of annual assessment work on mining claims during the years 1917 and 1918," approved October 5, 1917, was read twice by its title and referred to the Committee on Territories.

THE REVENUE.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

THE PRESIDENT.

Mr. FLETCHER. Mr. President, I desire to have printed in the RECORD an editorial appearing in the Christian Science Monitor of November 25, 1918. I commend the editorial to those who are engaged in the rather small partisan business of criticizing the President.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PRESIDENT.

Now that the war is over some of the conditions in the United States which the war created are either passing away automatically or are threatened with speedy removal. This newspaper pointed out, when the United States entered the conflict, that the Government of the Re-

public would, for the time being, become practically a dictatorship, more power being delegated to the President during the continuance of hostilities than had in modern times been granted to the rulers of most monarchies.

The United States is a Government in which the voice of the public rules. If the public in an emergency expresses its willingness temporarily to suspend ordinary processes its right to do so can not be questioned, even though this may involve, as it has involved since April, 1917, many departures from strict constitutional methods and common usages. By tacit and general consent of the people it was agreed that the President, in the conduct of the war, should be given full power to act. In this, Congress, whether it liked it or not, and there was no serious dissent in that quarter, had to acquiesce. Thus, in a sense, the Republic became for the duration of the war virtually an autocracy. What the President said became law.

He sought certain authority beyond that with which he was constitutionally vested; the public backed his demand; Congress granted it. He was enabled to do on his own motion that which, in the ordinary course of procedure, would require the sanction of Congress and a favorable opinion from the Supreme Court. The great end in view was the winning of the war, and the public, having implicit confidence in the Executive, permitted him to go about the winning of it in his own way. His way proved successful, so far as the part of the United States in the conflict was concerned.

In granting their President plenary power in the conduct of the Nation through one of the most critical periods of its history the people surrendered not an iota of the power belonging to themselves. They reserved the right to withdraw from him all the authority they had conferred at the turn of a hand or the quiver of an eyelash, should he fail in the performance of his duty; vox populi was the real autocrat; Woodrow Wilson simply its instrument.

Much stir is now made among a certain group in the Senate concerning the necessity of shearing President Wilson of his extraordinary or extraconstitutional powers, but even the most urgent in demanding that the country return to normal conditions in government are reluctant to say that the return shall be immediate. The war is over, but certain questions growing out of its triumphant conclusion remain to be settled. It may be said to be the universal belief in the United States that President Wilson should not be limited, either in the influence or in the authority which he shall take with him to the peace conference. What the so-called "revolting" Republican Senators are demanding more particularly is that the legislative branch of the Government shall reclaim and maintain its coordinate power with the Executive in carrying on the work of reconstruction.

In this position the people, when the proper time arrives, will be found on their side, and there is not the shadow of a reason to suppose that the President will be found in opposition. When the peace of the world is established, as it will be very soon, on a foundation of common justice, the Government of the United States will slip back into its normal groove without the slightest friction. Thenceforth, or until some other exceptional emergency calls for extraordinary procedure, Congress, as the Constitution prescribes, will make the laws and the President will execute them, as usual. No democratic institution has been undermined, impaired, or even threatened, by recent departures from the letter of the Constitution; the Constitution and the country are alike safe so long as they are made to serve the purposes of the people.

It is not a very wholesome symptom that, almost before the ink with which Germany has signed away her hope of becoming a dominating world power is dry, marking as the act does the greatest triumph of democracy in a century, if not in all history, certain irreconcilables in the United States Senate should be afforded opportunity of misrepresenting and attempting to belittle a man whom the whole world cheerfully recognizes as one of the most important factors in the achievement of this victory. There is no excuse for impugning the motives, much less for questioning the loyalty of Woodrow Wilson to the United States Constitution and to American ideals. It is not only nonsensical but exceedingly dangerous at this time, when hidden evil forces are seeking every possible means of expression, every possible method of propagating suspicion, discontent, and sedition among the masses, that men in high public office should indulge, through partisan rancor, in aspersions tending to create disunion among good citizens.

Common sense, common prudence, and ordinary judgment should, one would think, impel those intrusted with public responsibility to take a broader than partisan view of the work that lies before the President at this juncture. He is responding to a world invitation in consenting to attend the peace conference. His presence at the board is sought because his counsel is everywhere esteemed. The Nation he will represent should feel proud of the honor conferred upon him. It has stood behind him in the making of war; it should stand behind him in the making of peace.

PEACE TERMS.

Mr. FRELINGHUYSEN. Mr. President, I submit a resolution and ask that it be read by the Secretary.

The resolution (S. Res. 364) was read, as follows:

Whereas the President has informed Congress that the bases of peace outlined by him on the 8th of January last have been accepted by the allied Governments and by the central empires, and that it is his duty to see that no false or mistaken interpretation is put upon them; and Whereas the President has never stated his own interpretation of such bases and the same, particularly those relating to "a league of nations" and the "freedom of the seas," are open to various interpretations, some of which may be in conflict with established national traditions; and

Whereas the President has announced that the various steps in the approaching negotiations abroad shall be promptly made known to the American people: Therefore be it

Resolved, That the President be, and he is hereby, respectfully requested to make publicly known his own interpretation of his proposed peace terms as presented to Congress January 8, 1918, and not attempt to impose such interpretation upon the international conference about to assemble until full opportunity is presented to the American public to become acquainted with the same, to the end that this Nation may not be committed to policies in contravention of the traditions of the United States; and be it further

Resolved, That a copy of this resolution be forthwith transmitted to the President.

Mr. FRELINGHUYSEN. I ask unanimous consent for five minutes' time to express my views on this resolution before it

goes to the Committee on Foreign Relations, the proper committee to which it should be referred.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. FRELINGHUYSEN. Mr. President, in his address to Congress of December 2 the President informed us that the bases of peace outlined by him to us on the 8th of January last have been accepted by the allied Governments and by the central empires, and by way of explanation of his trip to Europe he stated that it was his duty to see "that no false or mistaken interpretation is put upon them."

In view of this explanation it requires no argument to show that various interpretations may be placed upon the bases of peace which he outlined. Some of the bases relate not merely to a settlement of the present war, but to our relations in the future with all Governments. Heretofore we have been guided by certain traditions. The immortal Washington in his farewell address gave certain advice which we have religiously followed. He said:

Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

It may well be that conditions have so changed that we should no longer follow advice by which we have been guided for more than a century. As a representative of the people, it seems to me that we should not bind ourselves to a policy at variance with it unless certain that such is the will of the people.

The fourteenth basis proposed by the President reads:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

Does this basis mean that we will join with European nations in a guaranty of the political independence and territorial integrity of all States both great and small? Does it mean that to preserve such territorial integrity and political independence we will in fulfillment of our guaranty use whenever necessary our Army and Navy? Does it mean that henceforth we must take part in all political and territorial disputes throughout the world? We have among us many who came to our shores and the children of many who came to our shores because of the constant quarrels and jealousies of European nations and because of the fear that such quarrels and jealousies might any day involve them in war. I do not say that we should not do our utmost to prevent future wars. That I concede is our duty, but if we propose to obligate ourselves to use our Army and Navy whenever necessary in any part of the world to preserve peace, we should be certain that we are conforming to the will of those whom we represent.

The President is the chosen leader of the United States. Any proposal which he may make will naturally carry with it great weight. If he proposes in behalf of the United States the use of its Army and Navy to preserve the peace of the world, or if he assents to any such proposal if made by another nation, what position will the Senate be in should such a proposal be adopted? Constitutionally we will be free to exercise our own judgment and to accept or reject any treaty which the Executive may negotiate. Will we, however, be free from embarrassment should other nations say to us, Your Chief Executive spoke in behalf of the American public and supposedly voiced their views? That brings me to the point of my motion. Is the President sure that his interpretation of the bases of peace is the interpretation of the American public? As he has never made known such interpretation, how can we be sure? Should he not, in all justice, before he makes any proposal on such momentous questions make known to the public what interpretation he places upon his fourteenth basis, and should he not afford the public an opportunity to voice its opinion?

The fourteenth basis is not the only one which involves a comparison of our past traditions with what should be our policy in the future. During the Civil War in order to preserve the Union we found it necessary to insist upon and to exercise the right to condemn cargo owned by a neutral and shipped from one neutral port to another neutral port where it appeared that such cargo was ultimately intended for transshipment to the enemy. In Europe the doctrine of ultimate destination was disputed, but if that doctrine had not been practiced during the present war who will dare say what would have been the result? Certainly the prevention of supplies reaching Germany through neutral countries contributed in no small measure to her defeat. Can anyone here tell me what is the true interpretation of the second basis of peace outlined by the President in January last? It reads:

Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

If such had been the rule during the Civil War could supplies have flowed uninterruptedly from Europe to the South by way of Mexico? If in force during the present war, could supplies have flowed uninterruptedly from North and South America to Germany through Holland? I confess that I do not know what is the true interpretation of the phrase "absolute freedom of navigation upon the seas," and as a representative of the people I respectfully suggest that if the President's interpretation involves a departure from our traditions he should not propound such interpretation as a proposal in behalf of the American public unless he is certain that the American public approves it. How can he be certain that the American public approves an interpretation which has never been made known to it?

It is hardly necessary for me to call attention to any other basis of peace proposed by the President to illustrate my viewpoint. There has never been a time in our history which called for greater caution and wisdom. There has never been a time when the practice of pitiless publicity, so frequently advocated by the President, was more urgently required. The American public is a reading public, a thinking public. It does not hesitate and will not hesitate to express its opinion if afforded an opportunity. In my opinion the President should not in behalf of the American public make proposals which involve a radical departure unless he is certain that his proposal carries with it the approval of the people. Though we are not bound by any treaty which he may negotiate, still, in view of the fact that he was chosen by the people to the highest position in the country, other nations may not recognize that his proposals are subject to our review and may feel affronted should we differ from him. It is his duty as well as ours to act for the people; and, to avoid misunderstanding, it seems to me that the people should be told by him what is the interpretation which he places upon his bases of peace and should be advised to what extent he intends in their behalf to propose a policy which may involve an abandonment of our traditions. All I ask is that the public should be taken into the confidence of the President, that he should afford the public an opportunity to express its views, and, should it appear that there is a pronounced view upon any subject, that he will not run counter to it. It is for such reason that I have introduced my motion.

Mr. WALSH. Mr. President, in the very pertinent remarks made by the distinguished Senator from New Jersey [Mr. FRELINGHUYSEN] he adverted to the rather embarrassing position in which the Members of the Senate would be placed in the exercise of their constitutional duties should the peace conference act in accordance with and confirm the 14 points that were advanced by the President as the proper basis for the treaty of peace in his address to Congress on the 8th of January last. Of course, as indicated by the Senator from New Jersey, every Senator will be at liberty to exercise his own judgment concerning the matter of confirming or rejecting any treaty that may be submitted to the Senate; yet, as stated by the Senator from New Jersey, every Senator holding adverse views will be laboring under very particular embarrassment, these views having been presented by the Chief Executive of the country at the peace conference.

I want to submit, Mr. President, that the embarrassment will be increased, however, by the fact that this address was made to Congress nearly a year ago. On the 8th day of January last the President announced his views as to the kind of a treaty of peace which should be made. Up to within six weeks of this time I have no recollection that any Member of the Senate has expressed any divergence from those views thus announced by the President. We have heard within the last 30 or 60 days no little criticism of these 14 points as a proper basis for peace, and much has been said concerning the indefiniteness of these declarations and of the necessity for further elucidation of their meaning in order to clear up the obscurity which may inhere in them.

Mr. POINDEXTER. Mr. President—

Mr. WALSH. Just a moment.

Now, Mr. President, we shall be under an added embarrassment by reason of the fact that we did not speak earlier, as it seems to me, in relation to these 14 points. If the address to which we have listened this morning by the Senator from New Jersey had been made immediately upon the address of the President in January last, of course the world would have been put upon notice that the President did not speak the universal voice of the people of America; but it seems to me, Mr. President, that, in the absence of any particular criticism of the address

down to within the most recent times, the people of the world very justly assumed that the views thus expressed by the President were indorsed by this great Nation.

Now I yield to the Senator from Washington.

Mr. POINDEXTER. I should like to ask the Senator from Montana if it is not true that he heard at the time the President made this address and various other addresses on the terms of peace—some of them made even before we had begun the war and continued at frequent intervals from that time down to the present—criticism of the President for discussing terms of peace while we were endeavoring to concentrate our energies upon gaining the victory?

Mr. WALSH. I have no such criticisms in mind. I do not undertake to say that they were not made; but that is not the point that I am making. The President did declare that a treaty ought to be made upon the basis that he laid down; and I undertake to say that, in this body at least, down to within 60 days no dissent has been made from those principles; at least I speak from my own recollection about the matter.

Mr. KNOX. Mr. President—

Mr. WALSH. I have yielded to the Senator from Washington [Mr. POINDEXTER].

Mr. KNOX. May I correct the Senator from Montana as to the facts?

Mr. WALSH. I have yielded to the Senator from Washington.

Mr. KNOX. May I have the floor for a moment?

Mr. POINDEXTER. I will conclude in just a moment.

Mr. KNOX. Very well.

Mr. POINDEXTER. Mr. President, I want to say in my own behalf as an individual, enjoying the right of independent opinion, as every other citizen of the country does, and in whatever responsibility devolves on me as a Senator of the United States, that I do not feel that I am in default in not having expressed opinions on this subject and I do not believe that the American people are in default upon it.

My understanding of the attitude of those who differed with the President in regard to this matter is that they deprecated the continuous discussion by the President, or by anybody else, especially anyone else in authority, of peace, and the cry of peace, peace, peace, and what the terms of peace should be, before we had even been able to mobilize our resources to gain the victory which was the essential foundation for any peace, whatever its terms might be.

Mr. KNOX. Mr. President—

Mr. WALSH. I now yield to the Senator from Pennsylvania.

Mr. KNOX. Mr. President, referring to the specific proposition of the Senator from Montana [Mr. WALSH] that he had not heard in this body any dissent from the views expressed by the President last January, I wish to call the Senator's attention to the fact, which he has evidently overlooked, that, so far from this body being estopped from criticizing the points made by the President, the action of this body, at least technically, stands adverse to those points, and for this reason: Within a day or two after the President had delivered his address announcing the 14 points the Senator from Illinois [Mr. LEWIS] introduced into the Senate a resolution approving the conditions of peace announced by the President. That resolution was referred to the Committee on Foreign Relations; it was taken up by that committee for consideration, and it was developed that to press the resolution would be to cause a spirited and untimely discussion of the subject upon the floor of the Senate, which would not be to any advantage; and that resolution lies to-day in the pigeonholes of the Committee on Foreign Relations.

Mr. WALSH. Mr. President, the fact remains, however, as I have stated, that no one has arisen on the floor, until the Senator from New Jersey spoke this morning, to express the slightest dissent.

I now desire to add further that in the month of May, 1916, in a public address delivered in this city, which was introduced as a part of the CONGRESSIONAL RECORD, the President announced, in a general way at least, his adherence to the idea of a league of nations for securing the permanent peace of the world. I have no recollection of any particular criticism upon the floor of the Senate of the views thus expressed by him until within the last 60 days.

Mr. FRELINGHUYSEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. WALSH. I yield.

Mr. FRELINGHUYSEN. Do I understand the Senator from Montana to assert that the American public are irrevocably committed to the 14 principles as declared nearly 11 months ago by the President of the United States?

Mr. WALSH. No; I have not said so, and I have not said that any Senator is irrevocably committed; but I do say that any Senator who has remained silent for a year after these views of the President have been expressed and after the people of the world have had just reason for believing that he spoke the views of the American people ought to hesitate a little bit now about voicing his criticism.

Mr. FRELINGHUYSEN. May I state, in reply to the Senator from Montana, that at that time we were at war, the outcome of which was in doubt, and it was the feeling of many Senators, including myself, that at that time it was not proper to criticize the peace terms of the President.

Mr. JOHNSON of California and Mr. KELLOGG addressed the Chair.

The VICE PRESIDENT. The Senator from California.

Mr. JOHNSON of California. Mr. President, I am very glad, indeed, that the resolution was presented by the Senator from New Jersey [Mr. FRELINGHUYSEN], and much that he says finds a very responsive echo in my own thought. I feel, as the Senator from Washington [Mr. POINDEXTER] has stated, that no man upon this floor is estopped from questioning, opposing, or controverting the terms that were laid down by the President in his address of January last. I recall that address most vividly. I remember that after that address was made and the general principles announced in it there were some of us who dissented very vigorously from it, and I recall, too, that just one month later the President of the United States made another address, in which, substantially, he said that his previous terms were tentative and that they constituted but a provisional sketch. I do not state his language exactly; I state my interpretation of it. I remember also that after that February address some of us commented upon it and expressed our approval of it and our approval of the fact that it was a modification of the January address.

As the Senator from New Jersey well says, we are to-day in the situation that we do not know the President's interpretation of what he has stated regarding terms of peace; the American people do not know the President's interpretation of his 14 points. Some of them are nebulous; some of them are yet indefinable; some of them as yet are not understood; and the President of the United States has departed, or is about to depart, for a foreign shore, leaving the American people neither understanding what he meant nor knowing what he goes for.

Mr. PITTMAN. Mr. President—

Mr. JOHNSON of California. He says that he goes for the purpose, as I understood his address the other day, of interpreting to somebody else the terms of peace that he laid down in January last. What we ask, not in any partisan spirit at all but echoing what our people ask, is that he interpret first to the American people and to the American Congress.

Mr. PITTMAN. I wanted to ask a question of the Senator from California.

Mr. THOMAS. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state his parliamentary inquiry.

Mr. THOMAS. Has morning business been concluded?

The VICE PRESIDENT. It has not.

Mr. THOMAS. Then I ask for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

PEACE TREATIES.

Mr. BORAH. Mr. President, I offer a resolution, which I think is pertinent particularly at this time, and ask that it may be read and lie on the table.

The resolution (S. Res. 365) was read and ordered to lie on the table, as follows:

Whereas the President of the United States on January 8, 1918, declared that the first prerequisite of a durable peace was "open covenants openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view"; and

Whereas this was a clear denunciation of secret diplomacy, the chief weapon of despotism, and the most prolific source of the world's disturbance; and

Whereas no covenants of peace can be concluded or be binding upon the people of the United States except through treaties ratified by the Senate of the United States; and

Whereas the people who waged and won this war in behalf of democracy are entitled to know in advance of their being bound by the terms of any treaties of peace: Therefore be it

Resolved, That when such treaty or treaties of peace relative to the termination of this war are transmitted to the Senate of the United States for consideration it or they shall at once and as soon as received be made public, and that the consideration of the same and all discussions relative thereto shall be in the open sessions of the Senate.

THE PRESIDENTIAL OFFICE.

Mr. SHAFROTH. Mr. President, before the morning business is closed, I should like to secure unanimous consent to comment for a few minutes upon a case which appears to me as in point with regard to the discussion which occurred yesterday of the powers of the President when he leaves the territorial limits of the United States. I shall take only a few minutes—not more than 10 or 15 minutes.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. SHAFROTH. Mr. President, I have found a case in the Seventy-eighth Missouri Reports, at page 139, entitled *State ex rel. Crittenden against Walker*, which, it seems to me, covers this matter better than any case that has been presented or any case that I have been able to find. It relates to the question as to what is the power of the governor upon leaving the State, and as to whether or not a lieutenant governor can take upon himself the powers of the governor as soon as the governor crosses the boundary of his State. It arose when Mr. Crittenden was governor of Missouri, and when he went to New York upon some business affairs of the State and was gone a considerable length of time. When he came back his salary was held up by the auditor on the ground that he had been out of the State, that there had been a lieutenant governor administering the affairs of the State, and therefore that he was not entitled to receive all of his month's salary from the State.

I will read extracts from the opinion:

"The question presented, therefore, is, Can the governor who absents himself from the State for the purpose of performing duties imposed upon him by the constitution and laws of the State be deprived of his salary during such absence? The attorney general, in an argument characterized for its plausibility and ingenuity, insists that he can, and bases his argument on the following section of the constitution: 'In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the governor, the powers, duties, and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the lieutenant governor.' It is insisted that by virtue of this section, in case of the absence of the governor from the State for any purpose or for any period of time, however short, that pro tempore he ceases to be governor, and all executive functions, as well as the emoluments of the office, devolve upon the lieutenant governor."

I will call attention to the fact that that section is much more specific than the clause of the Constitution of the United States, because the clause in the Federal Constitution does not refer to absence in specific terms. It says simply:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President."

There is no reference to his absence from the territory of the United States. It is a pure question of ability or inability to perform the duties of the office. The opinion continues:

"We are of the opinion that the construction contended for is too narrow, is not warranted by the section. Treating conviction or impeachment either as meaning conviction on impeachment, conviction of any crime as well as impeachment, it will be perceived that there are five specified causes, upon the happening of any one of which the duties and powers, as well as the salary of governor, devolve upon the lieutenant governor. It will be observed that four of these causes, viz, death, conviction on impeachment, failure to qualify, and resignation, are of such nature as absolutely to create a vacancy in the office; and all of the four are of such character that no one of them can occur without its being a matter of such public notoriety as to be known throughout the State in 24 hours after the death, impeachment, failure to qualify, or resignation occurs, thus not leaving in doubt or to conjecture the right of the lieutenant governor to assume at once the performance of the duties and powers of the gubernatorial office and to receive the emoluments thereof.

"In view of the fact that the death, impeachment, failure to qualify, or resignation of the governor involves necessarily a vacancy in the office, and the further fact that whenever any one of the above events occurs the right of the lieutenant governor is not left open to question or doubt, it may well be insisted upon, as it is by relator, that the fifth specified cause, viz, 'absence from the State,' does not mean either an absence from the State for the purpose of performing a duty imposed by law upon the governor or a mere casual absence of a few days, but that it is necessarily implied from its connection with the other specified causes that such absence must be of such a character as to indicate on the part of the governor an abdication for the time being of the duties of the office, and such as, in the opinion of the governor, would make it necessary for him to call

upon the lieutenant governor to take his place and perform such duties as the condition of business in his office and the exigencies likely to arise might require during such absence, and when so called upon his authority to act could neither be questioned nor his right to the emoluments of the office denied until the governor returned and resumed his place.

"Speaking for myself, and using the language of *Ludeling, C. J.*, in the case of the *State ex rel. Warmoth v. Graham* (26 La. Ann., 568; s. c., 21 Am. Rep., 551), when a like question was under consideration, I do not believe 'that it was ever contemplated that the movements of the governor should be watched with a view that the lieutenant governor * * * should slip into his seat the moment he stepped across the borders of the State.'

"It is neither provided by the constitution nor by any law of the State how the absence of the governor from the State shall be ascertained or made known either to the people or to the lieutenant governor, so as to authorize him to assume the functions of the executive office or to impart knowledge of the fact to the people of his authority so that it may be recognized and unquestioned.

"In the event of the death, impeachment, failure to qualify, or resignation of the governor no such difficulty presents itself. If the lieutenant governor or auditor may assume to determine that any absence of the governor from the State, without reference to the purpose of the absence or the character and extent of it, is such an absence as for the time being ousts him of his office and casts upon the lieutenant governor the powers, duties, and emoluments of the office, why might they not, in passing upon the meaning of the words occurring in said said section 'or other disability of the governor,' determine that he was disabled by reason of insanity, without waiting for the judgment of the court pronouncing him insane, in a proceeding to determine that question by inquest of lunacy.

"The only authority we have found upon the question is the case of the *State ex rel. Warmoth v. Graham* (26 La. Ann., 568), which was a proceeding by mandamus to compel the auditor to pay the warrant of the governor for his salary from the 6th to the 19th of May, 1871, and from the 26th of June to the 17th of July, 1871. The auditor refused to pay this warrant on the ground and for the reason that during said periods the governor was absent from the State and that the duties of governor, as well as his salary, devolved upon the lieutenant governor, to whom the salary had been paid.

"Under the constitution and laws of Louisiana, it is provided, as it is in our Constitution, that in the absence of the governor from the State, or his inability to discharge the duties of the office, the powers and duties as well as the salary of the office devolve upon the lieutenant governor. It was held in that case that it was the duty of the auditor to pay the warrant, and as it is the only case in point we have been able to find it is deemed not inappropriate to quote what was said by the court in the disposition of the question, which is as follows:

"It is evident if the lieutenant governor be authorized to assume the functions of the governor during any temporary absence of the governor from the State, he may also, whenever the governor is unable to attend to the duties of his office on account of sickness, in case of 'inability to discharge the powers and duties of the office.' We do not believe this to be the meaning intended by the framers of the constitution. The inability to discharge the duties of the office, as well as the absence from the State spoken of in the article, are such as would affect injuriously the public interest. The mere absence at Pass Christian, within a few hours' run of the capital, could not by any possibility affect the public interest. How is the absence of the governor to be ascertained? It is manifest that there ought to be some certain proof accessible to the public from which they may with certainty derive the knowledge as to who is authorized to act as governor of the State. As the law makes no provision for the mode in which the governor shall manifest to the public his absence from the State, it necessarily is left to his discretion, subject to his responsibility to the people. If the interests of the State should suffer in consequence of his prolonged absence, he would be amenable to public sentiment and to the control of the impeaching power of the State. Some public record should be made of the intended absence, or the governor should publicly place the lieutenant governor in charge of the government, so that the term of absence shall appear of record, and during such absence the acts of the acting governor would be of unquestionable validity. Anything less than this might create confusion and uncertainty."

"The only difference between the above case and the one before us is that it does not appear that the governor of Louisiana was absent from the State in the discharge of a duty

imposed upon him by law, while in the case under consideration the governor was absent for the purpose of performing a duty which the law enjoined upon him in conjunction with others. And while the facts in the present case do not call upon us to go as far as the court went in said case, it may not be improper to say that the views therein expressed are not inconsistent with sound reason, and if an enlightened court under a constitution and laws which, like our Constitution, devolve the duties of the office of governor upon the lieutenant governor in the event of the absence of the governor from the State, has determined, as it did in the case above cited, that the absence of the governor from the State for a limited time creates no such vacancy in the office as to authorize the lieutenant governor to assume the duties and prerogatives and receive the salary of the governor, it is, at the very least, persuasive authority for the soundness of the conclusion we have reached that the absence of the governor from the State for the purpose of performing a duty cast upon him by law did not authorize the lieutenant governor to assume the functions of his office during such absence and receive his salary."

Mr. President, the Constitution imposes upon the Chief Executive the duty to negotiate and make treaties, subject to ratification by the Senate. It does seem to me that as the peace of our own Nation and of all the nations of the world is involved it is the highest official duty of the President to be at that place where he can be of most benefit to our own country. In my judgment, his presence at the peace table will be the inspiration which will produce a treaty based upon American ideals. I can not conceive that any court would declare his "inability to discharge the powers and duties" of his office when he is performing his highest duty imposed by the Constitution itself.

Mr. KELLOGG. Mr. President—

Mr. SHAFROTH. I yield to the Senator.

Mr. KELLOGG. I thought the Senator had yielded the floor.

Mr. SHAFROTH. Very well, I will yield the floor.

Mr. KELLOGG. As the morning hour seems to be taken up by general discussion, I ask unanimous consent to submit some remarks upon the question of a league of nations and the resolution introduced by the Senator from Pennsylvania [Mr. Knox].

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. OVERMAN. Will the Senator from Minnesota yield to me to have an order made?

Mr. KELLOGG. I yield for that purpose.

WITHDRAWAL OF PAPERS—POMEROY PARKER.

On motion of Mr. OVERMAN, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 7281, Sixty-first Congress, second session, to correct the military record of Pomeroxy Parker, no adverse report having been made thereon.

COMMITTEE SERVICE.

Mr. MARTIN of Virginia. The Senator from Minnesota kindly yields to me to have an order made for a committee assignment, which I send to the desk.

The order was read and agreed to, as follows:

Ordered, That Senator VARDAMAN be assigned to the chairmanship of the Committee on Manufactures, and that he, on his own request, be relieved from further service as chairman of the Committee on Conservation of National Resources, but not from membership thereof.

LEAGUE OF NATIONS.

Mr. KELLOGG. Mr. President, were the revenue bill now before the Senate, or any very pressing legislation demanding our attention, I should not take the time of the Senate to discuss this subject. But, Mr. President, the Senate, the coordinate treaty-making body, is not represented upon the peace commission, and the only way we have of making our views known upon the important world issues of to-day is by a resolution of the Senate declaring principles or by the individual expressions of Senators upon the floor.

I am not complaining of this situation, but it was with interest that I saw the resolution introduced by the Senator from Pennsylvania [Mr. Knox] yesterday, declaring certain principles. That resolution is entirely different from the resolution of the Senator from Iowa [Mr. CUMMINS] providing for the appointment of commissioners to visit Versailles during the sitting of the peace commission. That resolution I do not approve of. It is proper that the Senate should express its views in a resolution upon any subject. I do not think it proper for the Senate to send commissioners or ambassadors to Versailles to the peace conference. They would have

no position; they would not be entitled to admission to the conferences of the commissioners of the allied and other nations; they would be embarrassed in their position and they would embarrass our friends, the English, French, and Italian commissioners, who would desire, of course, to show respect to the representatives of this great body. They would also embarrass the President.

I believe that the first object of the Senate and of the Senators is the good of the Nation and their desire is that the President and his commissioners may bring out of the great conference at Versailles a solution which will reflect honor upon this Nation and will be a lasting benefit in the generations to come. That ought to be the controlling motive of the Senate, even though we may believe that the Senate should have been represented upon the commission.

I merely make this remark in passing in order to distinguish the resolution from that of the Senator from Pennsylvania. I shall not discuss the resolution at length, but some of its provisions are inseparably connected with the subject upon which I crave the permission of the Senate to submit a few remarks.

Our objects in this war might well be stated by the Senate, and perhaps after the settlement of those questions directly involved it would be better to postpone to some future period the question of a league of nations or a change of the general rule for the freedom of the sea.

I take it that we entered the war not for any vague idea of establishing world democracy or a league of nations, but for a definite purpose, because our rights upon the high seas had been invaded, our citizens murdered, the agents of Germany had plotted in our midst against our peace and security, violated our laws, and incited our neighbors to war with us. In order that we might make this country safe against the domination of Germany, we went to war. I think it quite proper that when those issues are settled around the great council table, the issues of indemnity to Belgium, France, and Serbia and other nations, what shall be done with the German Navy and the German military armaments, and many, many other questions, it would be proper to take up the question of a league of nations, not alone between the belligerent countries, but with all the civilized nations of the world, because the neutral nations are as much interested in the subject as we are.

Furthermore, that conference will be interested, at least the principal nations of Europe will be interested, in defining the boundaries and in declaring the independence and perhaps guaranteeing the integrity of various nations or would-be nations of Europe. I take it that this country is only very indirectly interested in that subject, and that we are not going to fix the boundaries of the Balkan States or other States of Eastern Europe, or of those people who aspire to sovereignty, and that we are not going by an armed force to guarantee those boundaries or guarantee the integrity of those countries during all the years to come.

Are we to police the vast and disturbed domain of Russia or be forever embroiled in the Balkan troubles or the troubles over the Golden Horn or the aspirations of Poland? While we should hope that they will be settled so that each of the great peoples of the world may have an opportunity to develop their nationality, yet it is another question if we are called upon to fix their boundaries, their autonomy, and to forever guarantee them. That is the entanglement against which the Father of his Country warned us.

Furthermore, I am admonished when I come to study the question of a league of nations that no peace convention could possibly settle upon the terms of such a league within the time that the great issues of this war should be determined. The world has been disturbed and ravished for four years. The nations are weary of war. It is now practically over, and as soon as possible the issues pertaining to the war should be settled, our Army returned, and we and all the other nations allowed to pursue the pathways of peace. But I do not mean by that that we should not make an effort toward a league or concert of nations which shall have in mind the preservation of the peace of the world.

Mr. President, the establishment of a league of nations is, I believe, now foremost in the minds of statesmen as well as in the minds of the people of the civilized world. It is being discussed by publicists and journalists the world over. The impelling causes which at this time bring this ancient and honorable subject before the public are too fresh in our minds to need extended discussion.

The appalling calamity through which the world has just passed, the destruction of life, the awful suffering, the shocking crimes committed under the guise of war, and the waste of nations has created anew in the minds of the suffering people a determination to put an end to such conflicts.

It is probably too much to hope that the world will be permanently at peace. De Segur, the great general and historian of the French Revolution and the Napoleonic régime, said:

Universal peace is the dream of the wise; war is the history of mankind.

As much as the world longs for peace to-day, we are confronted by the cold facts that unfortunately this is true. A league of nations to enforce peace has been a favorite theme for discussion by benevolent statesmen and publicists for 2,000 years. From the Hellenic League to the Holy Alliance—in fact, to the last Hague convention—it has been tried time and again, and although its ameliorating influences have undoubtedly been felt in decreasing the number of those conflicts which from time to time have devastated countries, yet the wrecks of nations, scattered along the pathway of human progress, testify to its failure as a complete preventative of war.

This, however, should not discourage us. I believe the time has come to try to establish a league to prevent war and to enforce peace, which may not be an entire preventative, but, backed by a world public sentiment, will have a tremendous influence toward maintaining just and equitable relations between nations and preventing the horrors of war.

If ever there was a period in history when it behooves statesmen to exert themselves to the utmost to find some means for the settlement of those controversies which divide nations other than the resort to arms, the present is the time.

I do not for a moment disparage the principles upon which we, with the allied nations, have carried on this war. I was an advocate of entering the contest. I believe the cause was sufficient, and the principles for which we were fighting soared high above the horrors of the battle field; that America in this struggle has found her soul. The splendid spirit of her sons who have given their lives in this sacrifice, the splendid spirit of the people which has made it possible to send that great tidal wave of humanity to crush the devastating military power of Germany, does not lead us into the paths of war but into the paths of peace. We should not overlook this fact. The peoples of the world, the toiling millions upon whom this war has fallen with crushing weight, were determined that it should end by victory, and are determined now that no step shall be neglected which will tend to bring a permanent peace.

I have no sympathy with the tenets of socialism, State or international. The growth of this spirit has been augmented by the abuses of war, and I am willing to lift my voice in favor of a league of nations to maintain peace. But I am not in favor of an impracticable, I might say an impossible, scheme that I believe yet rests in the brain of the dreamer and in the womb of the far-distant future. The condition of the world is far better for the successful establishment and maintenance of such a league at this time than ever before. No league of nations can succeed unless it originates and is sustained by an honest public sentiment of the peoples involved, and unless the Governments joining in such league are responsive to the demands of the people. These conditions exist to-day to a greater degree than ever before. I believe with the closing of this war irresponsible government will have practically disappeared from the face of the earth and in its place there must come in Russia, in the central empires, and in the other nations, a government responsive to the will and voice of the people, such as exists to-day in the great allied nations, fighting, as we all hope, the last world war for the supremacy of right and justice. One thing is sure. Unless Germany changes her attitude toward the rest of the world, unless the aspirations and policies which have guided that nation in the past are to be changed and a more enlightened sentiment shall control the German people, and a government is established responsive to this sentiment, there must be a league of the allied nations to see that Germany is rendered powerless to renew the contest.

Again, another thing which will make a far more permanent peace is the abolition of the system of secret treaties and alliances. I believe, as I have said before, that the treaties which close this greatest of world conflicts and settle the disputes upon which the future of nations depends should be made in the open, in the light of public opinion, and approved by an honest world sentiment. How many leagues of nations, like the Holy Alliance, have foundered upon the rocks of disaster because they were based upon false principles of justice and sustained by secret alliances and the hope of dynastic supremacy? I deplore what seems to be the disposition of the President not to take the American people into his confidence, especially that body of the supreme legislative power of the Nation, the coordinate treaty-making body, the United States Senate. So far as possible we should know his views upon the difficult problems which must be settled in Paris. I would have the world informed as to the progress of the negotiations and the principal

issues involved from time to time between nations surrounding the council table. It is only in this way that a healthy public sentiment can be expressed and a peace arrived at which shall meet the judgment of the civilized world.

I come now to the more concrete question—what kind of a league or concert of nations we should approve—and upon this subject I desire not to make dogmatic statements but to keep an open mind. If I am permitted to take part in the deliberations of the Senate upon the confirmation of the treaty of peace, I shall go as far as possible in sustaining measures necessary to prevent the recurrence of war, provided they do not infringe upon those national rights which I believe all of us deem to be necessary to the future prosperity and happiness of this people.

I listened with interest to the eloquent speech of the Senator from Missouri [Mr. REED] voicing his opposition to a league of nations. Granting his premises or definition of a league of nations, I do not, in the main, disagree with him. But it depends upon what we consider to be a proper league of nations. If you mean by a league of nations that there shall be established a world supergovernment, with legislatures and judicial tribunals—under which the signatory powers will be to some extent vassal states—with power to legislate or interfere with our internal affairs, our foreign trade, our tariff duties, our regulations of commerce, the development and disposition of the great natural resources of this country, I say emphatically I am not in favor, and I know of no one, except, possibly, some extreme, impractical dreamer, who would favor such a scheme. I have studied, as far as possible, the public expressions upon this subject during the war, and I believe that the great preponderance of sentiment of the leading statesmen and publicists of the world, as well as all the organs of public expression, is that such a scheme, or any scheme of a world government whose laws can be enforced by international tribunals, is impracticable and inadvisable.

I do not favor the establishment of any supergovernment over nations. Nor do I believe, considering our position, that it would be policy to do it. Furthermore, I am of the opinion that under the principles of our form of Government, established by the Constitution, we have no power to enter into such a treaty. The Constitution of the United States irrevocably vests the government in the legislative branch, to be elected by the people, the execution of the laws in the executive branch, and the judicial to construe those laws and to perform other judicial duties.

Under Article VI of the Constitution it is provided that—

This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

While it is true that in this country a treaty, if it is self-executory, has the effect of a law, and if it pertains to any subject within the treaty-making power is supreme over the laws and constitutions of States, yet it is not supreme over the Constitution of the United States or of a subsequent law of Congress, for it is clear that under the Constitution Congress has power to denounce any treaty.

Let me illustrate, for example. Suppose we should join a league of nations with an international force which had authority to bind the signatory powers to make war upon any country, and such league should undertake to exercise such power. The Constitution of the United States irrevocably places in the Congress the power to declare war. Has the Senate of the United States and the President under the treaty-making power the authority to enter into a treaty that will permit a supergovernment of the world to involve us in war or to declare war for us against another nation? That is one case of many which might be made to illustrate this principle.

Mr. President, I ask permission, without reading, to insert in the RECORD a quotation from the decision in *Whitney v. Robertson* (124 U. S., 190).

THE VICE PRESIDENT. Without objection, permission to do so is granted.

The matter referred to is as follows:

A treaty is primarily a contract between two or more independent nations, and is so regarded by writers on public law. For the infraction of its provisions a remedy must be sought by the injured party through reclamations upon the other. When the stipulations are not self-executing—that is, require no legislation to make them operative—to that extent they have the force and effect of a legislative enactment. Congress may modify such provisions, so far as they bind the United States, or supersede them altogether. By the Constitution a treaty is placed on the same footing and made of like obligation with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other. When the two relate to the same subject, the courts will always endeavor to construe them so as to give effect to both, if that can be done without violating the language of either; but if the two are inconsistent, the one last in date will control the other, provided always

the stipulation of the treaty on the subject is self-executing. If the country with which the treaty is made is dissatisfied with the action of the legislative department, it may present its complaint to the executive head of the Government and take such other measures as it may deem essential for the protection of its interests.

Mr. KELLOGG. In the case of *Thomas v. Gay* (169 U. S., 264), the Supreme Court said—and I will read this, for it is very short and, I think, very pertinent:

It is well settled that an act of Congress may supersede a prior treaty and that any questions that may arise are beyond the sphere of judicial cognizance and must be met by the political department of the Government.

It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government. The effect of treaties and acts of Congress, when in conflict, is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior act of Congress and an act of Congress may supersede a prior treaty. (*Foster v. Neilson*, 2 Pet., 253; *Taylor v. Morton*, 2 Curt., 454.)

It would seem, therefore, of questionable propriety as well as doubtful authority to attempt to establish over this country an arbitral chamber or tribunal which can, without the consent of our legislative authority, in any way control our internal policies or any activities of the Government which are, by our Constitution, committed to the legislative authority. While some of the foreign governments are not embarrassed by such limited powers, yet I believe it is the consensus of opinion of the leading nations of the world that any such plan of supergovernment is impracticable.

It is, of course, impossible for me, in the space of these remarks, to review the principal expressions even of the leading statesmen of the world upon this intricate and difficult problem. I think there is great diversity of opinion among the allied powers, centering, however, upon a general and almost universal sentiment that some league or general treaty must be made which will have an effect to prevent the recurrence of such a calamity. The nearest expression to a national sentiment, perhaps, comes from the House of Lords in England. All the leading statesmen in England have declared in favor of some kind of a league of nations; not, however, such a one as received the condemnation of the Senator from Missouri.

On the 19th of March, 1918, Lord Parmoor moved, in the House of Lords, the following resolutions:

That this House approves of the principle of a league of nations and the constitution of a tribunal whose orders shall be enforceable by an adequate sanction.

Mark those words.

After most elaborate debate, the resolution was modified and adopted, reading as follows:

That this House approves the principle of a league of nations and commends to His Majesty's Government a study of the conditions required for its realization.

Quite a different thing.

The debate was participated in by Lord Parmoor, the Marquis of Lansdowne; Lord Bryce; Lord Parker, a thorough student of the subject; Lord Curzon, a member of the Government; and many others. I wish to briefly quote from some of those statesmen their views upon this important question.

In the discussion of the subject, Lord Parker, who has been one of the advocates of a league of nations, said:

As soon as the risk of war becomes great, nations will begin to settle their differences by other means. Arbitrations may be resorted to, possibly international councils or international conciliation boards may be made use of, but tribunals in the ordinary sense of the word—legal tribunals for the administration of international law based upon an organized international force—is a very different matter, and one which must be left, in my opinion, to grow out of that sense of mutual obligation which is beginning to exist amongst nations. If we attack that part of the problem at first, I have very serious fears that the whole structure which we are trying to build may fall about our ears. Probably if any dispute now arose between ourselves and any other great nation—say the United States of America—the nations in difference would easily arrive at some means of settling the dispute otherwise than by war, whether by a tribunal ad hoc or in some other way. It is a very serious matter to ask great nations in the present day to agree beforehand to submit disputes of whatever nature to the arbitrament of a tribunal consisting of representatives of some two dozen or three dozen States, many of whom may be indirectly interested in casting their votes on this side or on that.

Lord Bryce, who, everyone knows, is a distinguished scholar of the science of government and international law, discussing this problem on June 26, 1918, in the House of Lords, said:

Now, the creation of such a machinery as that to which I have referred, the provision of means for the pacific settlement of disputes instead of resorting to war, is a difficult and an infinitely complex question. Attempts have been made heretofore—the one which is most familiar to your Lordships was that made under bad auspices by the Holy Alliance in 1815—to provide some method for permanent peace. That attempt was destined to failure from the false principles upon which it was founded. We must go far deeper, and found it upon principles compatible with freedom. I do not for a moment underrate the difficulties which must be faced, and I think that we may dismiss all those grandiose notions of what has been called a federation of the world, an attempt to induce the great States to forego their sovereignty and to submit themselves to some superior authority and to constitute an international army. All these schemes, if they ever are realizable,

must belong to a very distant future, and I do not think we ought to contemplate any further limitation of sovereignty than is necessarily involved in the obligations undertaken by a treaty. But, however limited and cautious our plans may be, it is not to be denied that the difficulties in the way are very great, and that the questions to be solved are of the utmost complexity. I do not think anyone can appreciate how great those difficulties are unless he addresses himself to a close and long-continued study of the subject, and to the various plans that have been advanced.

Earl Curzon, while supporting the general principles of a league of nations and arbitration of the disputes which lead to war, used the following significant language, which I ask to include in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Then I come to the question of the sanction, which also, I think, must be somewhat closely scrutinized. The two forms suggested have been that of economic pressure or boycott and that of the use of force. In theory economic pressure is, of course, the easiest method to adopt, and it would seem *prima facie* to be likely to be the most effective. You suspend commercial intercourse with the offending nation; you stop her imports and exports so far as you can; you prohibit communication by telegraph, by telephone, by post, by railway, by wireless telegraphy with her; you desist from lending her capital or from paying her debts; you blockade her coasts. Well, a good many of these expedients we have adopted; almost the whole of them we are practicing in the present war. They did not, it is true, succeed in preventing the war; they have not, at any rate at present, curtailed its duration. But I should like to put it in this way: I doubt very much whether, if Germany had anticipated when she plunged into war the consequences, commercial, financial, and otherwise, which would be entailed upon her by two, three, or four years of war, she would have been as eager to plunge in as she was. Remember this: Though we have not done possibly all that we desired, we have done a great deal, and we could have done a great deal more if your hands had not been tied by certain difficulties. It is naturally a delicate matter for me to allude to this. A good many of them have been removed by the entry of the United States of America into the war, but we have always the task of handling with great and necessary delicacy the neutral States, and this difficulty still remains with us. But observe that this difficulty will not arise if you have a league of nations to which all the States belong, because then there will be no neutral States whose interests you will have to consider.

This brings me to the final point of the proposed sanction force. And here I am very much in agreement with what I understood to be the argument of my noble friend, Lord Bryce. Some people seem to imagine that you can set up an international court—or a supernational court, I suppose it ought to be called—with an international police. The powers in general under these suggestions are to retain only such forces as the court may decree; the whole of them are to be at the disposal of the central tribunal; and if that were so, it is clear that such a force would have to be so preponderant in numbers and in the other elements of strength as to exercise an overwhelming superiority in arms over any offending party with whom it might have to deal. Speaking for myself, I doubt not merely the wisdom but the possibility of setting up an international police. I doubt very much whether sovereign States would submit to this restriction, almost this derogation of their sovereignty, and I do not see how an international police, marshaled and set on foot in the way I have described, would be able to cope with the difficulties that might arise, not so much in Europe, but in the heart of the African continent or elsewhere.

I suggest, in respect of all these schemes, that we should not proceed too quickly or too far. I think that the attempt at this stage to construct a hard-and-fast juridical system would be attended with failure; and if you fall now, observe that you not only destroy the chances of the scheme which you may be trying to construct, but you may throw back the movement for generations. That has been the fate—I was alluding to history just now—of those earlier attempts at leagues of nations; they were premature; they were presently diverted from their proper object, and they expired in ridicule and scorn.

Mr. KELLOGG. It is sufficient to say that, while Earl Curzon suggests economic pressure, he dissents emphatically from any superjudicial tribunal whose decree shall be put into effect by international force. He is speaking, we must remember, after the greatest contest and the greatest trial the British Government has ever passed through probably in all its history, and certainly since the Napoleonic wars.

Mr. LEWIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I yield to the Senator.

Mr. LEWIS. May I not ask the able Senator if he will not recall that Lord Curzon, particularly in the very matters to which the Senator is alluding, seems to rest his final determination upon the inability of having all nations become a party to the league? To use an ordinary phrase, his stumbling block was as to whether we could bring all nations into the league, but he did not say—and I yield to the Senator's better memory, as I have not had that proceeding so lately before me as the Senator has—in that same discussion, following Lord Bryce and others, that the league would depend for success upon having all of the nations enter into it.

Mr. KELLOGG. I do not think so.

Mr. LEWIS. And that upon that he rested his conclusion.

Mr. KELLOGG. I have read with great care, within the last few weeks, all of the debates in the House of Lords and the House of Commons upon that subject; I have read the principal comments of the European journals, including the French, and I do not recollect that Lord Curzon or any of the other distinguished English statesmen placed their objection upon that ground; but they placed their objection upon the ground stated

by Lord Parker, Lord Bryce, and Lord Curzon in the quotations I have given.

It is true that Mr. Balfour and the prime minister, Lloyd George, have made general declarations in favor of a league of nations, as we hear constantly in the press and by Senators' declarations that they are in favor of a league of nations, but it depends upon what the league of nations is to be. When you come to define it as a supertribunal, a standing army of the world, whereby nations of necessity give up their sovereignty or a portion of their sovereignty, few statesmen of the present day, I believe, recommend it or are in favor of it.

I was saying that the statesmen of Great Britain were standing with the great war then in their faces. They were looking over the past three years of bloodshed and ruin which had tried the British nation as never before in its history, and they were longing for peace. They were Anglo-Saxon statesmen, whose desire was to spread the doctrine of liberty over the world and not that of military power; and yet these gentlemen, with their clear-sighted vision, did not recognize in a league of nations of this kind a solution of the world's difficulties, but did recognize the necessity for a closer relation, a concert of nations, an educated public national and international sentiment, that will go far toward ending these terrible struggles.

The discussion in the House of Lords, as well as the discussion in the House of Commons, by the principal ministers in the present Government, leads me to the conclusion that England is probably willing to go as far as if not farther than any of the other nations of Europe in the establishment of a league of nations which shall exercise the right of mediation, conciliation, and arbitration of disputes between nations which lead to war; that England is not ready to pronounce in favor of a superjudicial tribunal, whose decrees shall be executed by international armed force; but I think it is the consensus of opinion of her statesmen that she is willing to go much further than heretofore in the establishment of suitable machinery for mediation, conciliation, and arbitration, and to exert international pressure by concert of peoples for maintenance of peace. It will be seen that some of her public men advocate economic pressure; others the appeal to the enlightened sentiment of the nations.

In France there has been no declaration by resolution of the Chamber of Deputies or the Senate, so far as I am aware, expressing an opinion upon this subject.

I am informed that a commission was appointed by the French Government to study this important question—I believe it was headed by that distinguished jurist, Leon Bourgeois—that a report has been made which has been furnished to the allied Governments, and that our Government has a copy, although I have not had the opportunity of seeing it and can only state what developed in the debate in the House of Lords and from what I have gathered from the French journals.

Lord Curzon stated on June 26, 1918, that such a report had been made and communicated to the allied nations, but that it had not yet reached the British Government. He said:

The French commission appears to have pointed out that it would be out of the question to set up an international police—a State above all other States whose aims should be to substitute law for force in the settlement of these national disputes. That is a statement of opinion with which I think we shall all concur.

This commission was appointed by the French Government, as I understand, simply to make inquiry and recommendations; that it has no authority to speak for the Government. From the accounts in the French papers I would judge that while this report has not been made public the conclusions of the commission have, to a considerable extent, reached the public through the press. As near as I can judge, the French commission does not recommend any league of nations having control over the governmental affairs of the signatory powers. The commission apparently recommends the continuance of The Hague tribunals, a provision for the submission to an arbitration tribunal of those legal questions which are called, in diplomatic parlance, justiciable as distinguished from political, and the establishment of a court or commission of conciliation or mediation, to be composed of representatives from each country, which shall take up and adjust, if possible, those political or nonjusticiable disputes between nations. The question I am in doubt upon is what pressure or power this commission recommends for the enforcement of the judgment of such commissions. I am led to believe that the pressure of public opinion is the principal one relied upon and that if any force is recommended it is after all other means have been exhausted, and I am not clear that such force is recommended at all.

Mr. Robert E. Olds, a lawyer of distinction, a student of the affairs of government, and who has had an exceptional opportunity to observe public sentiment in France, writes me on October 14 as follows:

I assume you also are following closely the career of that ancient and honorable idea of a league of nations. It is a favorite theme at the conclusion of all great wars. I try to read each day the London Times and a couple of Paris papers (usually the Figaro and the Gaulois or Journal des Debats). Two or three times a week I get the Journal de Geneve. The British and French periodicals are also, of course, available. The English, I find, are pretty generally for the league, although opinion is by no means unanimous.

I think I have shown the kind of a league that the English statesmen are in favor of.

In France the idea has taken no root at all. I have looked in vain for any rational discussion of it. There is a studied avoidance of the subject alike by statesmen, publicists, and journalists. One gains the distinct impression that the French regard the notion as chimerical and visionary. Perhaps the national loathing of Germany and the consequent reluctance to go into any combination of which Germany might be a member goes far to explain the attitude.

For those who have not already done so, I suggest the consideration of an outline of a league of nations proposed by Lord Parker in his speech in the House of Lords on the 19th of March. I do not believe that we are going to enter into a treaty of peace to end this great war without an earnest effort, guided by all the wisdom and experience of preceding ages, to arrive at some agreement, some league or concert of nations, which shall exercise influence not only upon world public sentiment but in guiding nations to the pathway of peace and preventing a conflict of arms. I am not, of course, willing that this country, if we could do so, should turn over to any supergovernment control over our domestic policies, the development of our great natural resources, or our trade and commerce with other nations, questions of immigration, of customs duties, or the Monroe doctrine. We are fortunately situated. We produce within our domain not only our own needs but a surplus of all the principal raw materials going into the commerce of the world. With food supplies, iron, copper, oil, timber, cotton, and other products there are but few things for which we must depend upon the outside world. But we should undoubtedly yield, as far as possible, in order that at the close of the war we and the other nations shall not commence to prepare for the next war.

In addition to the enormous burden which this war has left upon the belligerent nations, upon our country as well as the European countries, are we to press down upon the people the burden of growing armament and gigantic militarism?

I have not advocated that we should not always be prepared to meet and protect our territory and our rights, but that if possible we should stop the competition of growing armament between nations. Nor do I advocate that we should undertake, in concert with other nations, to fix the boundaries of all the States of Europe and by leagues of nations guarantee their boundaries and the integrity of their Governments. This is not within the scope of international action to try and obtain concert of the leading Governments to adjust the disputes of nations and prevent resort to arms.

As far as I am able to judge the consensus of public opinion among the allied nations to-day is in favor of the general principles of a league of nations to prevent war. You may say this is generalization. I think we may go further and say that the consensus of opinion is that there should be a league by treaty binding all the signatory powers which shall provide not only for mediation, but shall make it the duty of the powers joining to offer mediation between contending nations; that it shall provide for commissions of investigation and conciliation and provide for the members to submit their disputes to arbitration. The vital point, to be sure, is what disputes shall be submitted and what means shall be taken to compel the enforcement of the decrees of the arbitral tribunals. I realize this is the difficult point. It is said that unless there is some force to execute the decrees of the tribunal the whole proceeding will be a farce, that nations like Germany will neither submit nor abide by the judgment.

In the first place, I believe, the conditions for conciliation and arbitration have never been as favorable as to-day and as they will be in the future. Nations heretofore have hesitated to agree to submit their disputes to arbitration for the reason that they did not wish to go into a court perhaps more or less interested in the question or kindred questions and submit matters vital to the national life to arbitration, and various schemes of excluding from arbitration those questions which were considered quite nonjusticiable or vital to the nation's welfare have been evolved. But the trouble is that those are the questions which often bring on conflicts, and it is a question whether we should not agree to submit to a proper tribunal of arbitration many questions which we are not now willing to leave to arbitration where the enforcement of the judgment is left to the enlightened sentiment of mankind. That there should be a world police or armed force is, in my judgment, impracticable and unthinkable.

It may be said that we have arbitration treaties with the principal nations of the world. We have, to be sure, with France and Great Britain an arbitration treaty, negotiated, I believe, by the distinguished Senator from Pennsylvania [Mr. Knox] when he was Secretary of State. He will correct me if I am not stating the facts accurately. In that treaty it was provided that justiciable questions depending upon law and fact should be submitted to a tribunal, and that a board or commission of conciliation should be created. The treaty did contain a clause guarding, I think, to a great extent the interests of the country, to determine what were the justiciable questions; but the Senate did not approve it and the treaty stands as I suggested.

Mr. SMITH of Georgia. Mr. President, will the Senator yield for a question?

Mr. KELLOGG. I will.

Mr. SMITH of Georgia. And did not the Senate advise the world, by its action then, that we were entirely opposed to any kind of international tribunal that might pass upon our vital interests, our national honor, or any problems of government that might affect this country?

Mr. KELLOGG. I think it did, as I said before.

Mr. SMITH of Georgia. I was in the Senate at the time, and it was the first opportunity I had to take part in the consideration of a great question; the debates then show, as did the final action of the Senate by a substantial majority, that even a majority of the present Senate then in the Senate could not agree to ratify any treaty or any program that submitted even to arbitration between two countries, to say nothing about international tribunals representing numerous nations, the important questions of government or problems of vital interest or of national honor belonging to our own country.

Mr. KELLOGG. Answering the Senator from Georgia, I think it did; and I do not think the Senator from Georgia will draw from any remarks I have made any conclusion that I thought to the contrary.

Mr. SMITH of Georgia. I did not. I was only desiring to supplement the view of the Senator by calling attention to the fact that when it was said that we should have advised the President earlier of our attitude I meant to suggest that the Senate had advised the world as far back as 1912 of its attitude upon many of these questions; and I meant further to suggest that it was entirely proper for the Senate now to exercise its responsibility by giving its advice on the pending treaty, as to the character of the treaty that we would be willing to ratify.

Mr. KNOX. Mr. President—

Mr. KELLOGG. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to state that the exact point of divergence between the Senate and the executive department of the Government at that time over that particular treaty was this: The treaty provided that all justiciable questions should be submitted to arbitration, and then it defined justiciable questions to be those questions which are susceptible of determination by the application of the ordinary recognized rules of law and equity. But obviously a question always arose as to whether a question was justiciable or not; and the proposition of the treaty was that that question—that is, its justiciability and, therefore, its arbitrability—should be left to commissioners; and the Senate declined to do that, because it said that would possibly submit vital interests to the decision of outsiders.

Mr. SMITH of Georgia. Because the commissioners might determine contrary to the view of this country. So guarded were we as to the preservation of the independent action of our own country about problems of vital interest that we declined to accept the treaty with those provisions.

Mr. LEWIS and Mr. NORRIS addressed the Chair.

Mr. KELLOGG. I yield to the Senator from Illinois.

Mr. LEWIS. May I be pardoned for suggesting that as I recall the debates—and I can only speak of my knowledge of the debates, having studied them, in this body—Senator Rayner, of Maryland, asserted on the floor, seeking to advocate the position of the eminent then Secretary of State, now equally eminent Senator from Pennsylvania, that the real item of dispute was because the words "law and equity," as contained in the provision submitted, had no equal definition or no equal meaning in the other Governments, and that therefore the definition "law and equity" left it so open that there was no defined thing which made the limit of the conduct on the part of the commissioners to whom the subject was to be committed. Am I right about that—that that was the real, serious grievance?

Mr. KNOX. No; I am sorry to say that the Senator from Illinois is mistaken. The Senate accepted that proposition. There was no difficulty about the arbitration of justiciable questions, and there was no question raised, in the sense that no controversy succeeded, as to the definition of what a justiciable

question was. The controversy arose as to whether the question of justiciability should be left to a commission if it was disputed.

Mr. KELLOGG. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I wanted to ask the Senator if he does not believe that this war, when it is considered in all of its aspects, naturally had a tendency to lead men to include questions that might be defined as justiciable that they would have excluded eight or ten years ago? In other words, referring particularly to what the Senator from Georgia has said about the Senate having gone on record, does not the Senator believe that one of the lessons of this war is that men will be more inclined, in order to avoid war and to reach an agreement, to agree to arbitrate things that probably before this war they would have hesitated to enter into any agreement to make arbitration treaties to cover?

Mr. KELLOGG. Mr. President, I have no doubt of that. I believe it is the firm opinion of the intelligent world to-day that if Germany had had a responsive government, and if war could only have been declared by a legislature after discussion, there would not have been this terrible war; and I believe that the sentiment of the world to-day is ripe for the exercise of all the powers of arbitration and conciliation that the nations can safely grant consistent with their independent sovereignties. I do not think the public sentiment has ever been as favorable to such action as at the present time.

I was suggesting the two treaties between this country, France, and Great Britain. I believe that some definition or some means of determining what are justiciable disputes can be arrived at to safeguard this country, so that our vital interests will not be submitted to nations which may have interests to the contrary, and that some means of conciliation and investigation by permanent commissions may be devised that will largely take care of the political questions.

It may be said that we have the treaties negotiated by Mr. Bryan as Secretary of State. There are a large number of them. They are all substantially alike. They simply provide for investigation and conciliation, and some of the countries agree that they will not make war while this investigation is going on. The treaties have done no harm. In fact, they may have done a great deal of good. They may, in some instances, have softened the passions of nations by giving time for consideration. But it is entirely a different proposition to negotiate a treaty between Brazil and the United States and a treaty between the United States and Chile when there is no treaty between Chile and Brazil. A league or concert of nations with the sole purpose of preventing a war, with a proper tribunal of conciliation and investigation, which shall meet periodically, which shall keep in close touch with the affairs of the various nations parties to it, is a far different thing than the separate treaties which have been negotiated for investigation and arbitration between various nations. It is the combined and concerted action of the great nations of the world at the close of this war which will prevent the recurrence of such a calamity which has devastated civilized lands.

THE PRESIDING OFFICER (Mr. SHEPPARD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 4637.

Mr. KELLOGG. Mr. President, I am not to be understood as advocating that this country, situated as it is in the Western Hemisphere, under our form of Government, is going to enter into a league of nations which will involve it in the pitfalls and dangers of European intrigue or the maintenance of a world army which may be turned against us. But I do advocate that every effort shall be made by The Hague tribunal or some similar tribunal for the conciliation of political disputes and the arbitration and settlement of all questions which are justiciable, and for some means of determining what those questions are.

We have before us the example of two great, intelligent, progressive Anglo-Saxon nations that have been at peace for more than 100 years. The nations of the earth are growing closer and closer together, international relations are multiplied, space has been annihilated, and I believe that every effort should be made toward the conciliation of those disputes which from time to time divide the nations of the earth.

But we must remember that few nations, if supported by a proper public sentiment, which I believe is growing, will defy the arbitral tribunal and the public sentiment of the world. In the nineteenth century there were 471 international disputes favorably submitted to decision by arbitration, and in the last 20 years many such disputes have been settled in this way, in not one of which have the Governments involved refused to abide by the decision of the arbitrators. The nearest approach to such a failure is the finding of the tribunal in the case of Panama and Porto Rico, which has not yet been fully complied

with. Such a league of nations could provide for mediation, for commissions of conciliation which should investigate and find the facts and make recommendations which should be furnished to interested Governments.

It may be said that this was substantially provided for by The Hague Convention, and that in spite of the agitation for world peace, which has been the most prominent in the last 25 years, this war—the greatest since recorded history—has devastated the world. But The Hague conference did not go to the limit which I believe the principal nations are now willing to go. The central powers were not willing to agree to submit their disputes to arbitration. It may be that nothing would have prevented a trial of strength between the central empires and the rest of the world. Had there existed in Germany a responsible government, an intelligent public sentiment which could be expressed through legislatures and ministers, even with the incense burning which has been going on in Germany and the training of the German mind toward the supernation, I do not believe war would have broken out. But with the boundless ambition of the Hohenzollerns, with the control over all the resources and activities of the nation, there apparently had to come a trial of strength to decide whether this great military autocracy should survive or go down before the free peoples of the world. That time has passed, and while I do not expect that the millennium has arrived or that war will cease in the world, I do believe that the growing, enlightened public sentiment; the abolition of irresponsible governments; the growth of science which increases the instruments of destruction; the increase in the magnitude and the burden of war and all the horrors, miseries, and crimes of four years, has created a fertile field and an educated public sentiment, which is determined that such a war shall not again occur.

I am not unmindful of the teachings of our forefathers, of the wisdom of Washington, whose precepts we have followed. I believe the opinions which he expressed, the examples which he gave to the world, the influence which he exerted upon his time, have been among the most potent civilizing influences.

Notwithstanding his admonition, we did go forth and engage in battle upon foreign soil. We sent one of the greatest armies ever marshaled in war. We backed this Army by the resources of a great country and by the patriotic sentiment of a generous and enlightened people. We did this not only for our own material protection, that the institutions which we had reared might remain, but for the establishment of right and justice as the ruling factor in human destiny. Shall we hesitate now, while maintaining all our institutions, our Government, and the right to control all our internal affairs, to join in a league of nations which may have a lasting effect upon all the generations to come?

Mr. President, when the sun went down on that memorable August day four years ago, its last rays were clouded by the gathering storm of war. It was to rise upon a new world—the old had passed away—a world to be deluged with human blood and laid waste by the ravages of ruthless war, but a world of peace-loving, free people, animated by a new determination, inspired by new ideals and by new hopes, a determination that lawless military rule should end, ideals of democracy founded upon justice to all peoples, and a hope for a lasting peace. Lincoln uttered a great truth when he said, "This Nation can not exist half free and half slave." Neither can the world exist in peace half autocratic military government, recognizing no principle but that of force, and half free, self-governing democracy. A conflict is inevitable and must go on until one or the other is mastered.

Mr. President, it may be a delusion, but I like to indulge in the hope that the contest is ended, that the great preponderance of world government is representative democracy founded on safe guarantees of personal liberty, security of property, and opportunity for individual initiative and progress. It is either that or the reign of license and lawlessness, a despotism more terrible than autocratic power, which is its usual sequel.

Mr. LEWIS obtained the floor.

Mr. KNOX. Will the Senator from Illinois yield to me for a moment? I wish to call the attention of the Senator from Minnesota to a matter.

Mr. LEWIS. I yield to the Senator from Pennsylvania, though I expect to occupy only about five minutes.

Mr. KNOX. For just a moment. The Senator from Minnesota has performed a great public service in bringing to our attention the views of the English and French statesmen whom he has quoted and by his reference to the parliamentary attitude in both those countries; but he has overlooked what I regard as an even more important fact—one with which we have more concern and one which should have a greater influence over us.

We have not been behind Great Britain and France in parliamentary expression as to our attitude upon this great subject. As late as 1916, almost two years after the war began, the Congress of the United States passed an act expressing its policy, expressing its attitude not only as to the extent that we should go, but as to the method by which a conference should be brought about which should pass upon the great question as to a league of nations or a combination for the prevention of war.

Allow me to read the act of August 29, 1916:

It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm, and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval. The President is hereby authorized to appoint nine citizens of the United States, who, in his judgment, shall be qualified for the mission by eminence in the law and by devotion to the cause of peace, to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives, and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

So we have a definite American plan in respect to a league of nations. We have a definite American method by which this thing can be accomplished. We have a definite request to the President of the United States to call a conference of the representatives of the world before the close of the present war or at any earlier time he sees fit, and we have the appropriation necessary to carry the act into effect. So if there is such a thing as an American idea expressed by the representatives of the American people in an American Congress upon this subject it is found within the four corners of this act. I think this should be added to the presentation of the attitude of the other countries made by the Senator from Minnesota.

Mr. KELLOGG. I thank the Senator from Pennsylvania.

Mr. PITTMAN. Will the Senator from Illinois yield that I may ask a question of the Senator from Minnesota?

Mr. LEWIS. I yield.

Mr. PITTMAN. I desire to ask the Senator from Minnesota a question, and I do it because he is undoubtedly thoroughly prepared upon this subject. I have listened to his remarks with the very deepest interest. It is the first speech on this subject in the Senate I have had the pleasure of hearing which shows a careful study of the question, or that is not flavored with prejudice or possibly with politics. I was impressed with the fairness of the discussion by the Senator from Minnesota, and while I gained a great deal of information with regard to the many and various views of what should constitute this league of nations, I do not know that I definitely understand the particular league of nations the Senator from Minnesota favors. I should like to know if the Senator from Minnesota would be prepared, not to-day, of course, but within the next few days, to present to this body and argue as intelligently as he has this subject a proposed constitution or a proposed plan, with the necessary limitations, of a league of nations.

Mr. KELLOGG. Mr. President—

Mr. LEWIS. I yield, of course, to the Senator on the theory that it will not deprive me of my right to the floor. I know he does not intend to do so.

Mr. KELLOGG. Mr. President, it was frequently said in the House of Commons and in the upper House of Great Britain it was more important at that time to discuss general principles than details. I did not intend to burden the Senate with writing a constitution for a league of nations. What I did wish to do was to inspire if possible a sentiment in favor of some action to move the nations of the earth to enter into some agreement whereby peace might be permanently obtained. I did not flatter myself that my suggestions would reach Versailles, or have any influence upon the deliberations of the peace conference, but that it might start a discussion in the Senate by those far abler than I and better known in Europe, and produce perhaps a resolution from the Senate declaring some principles which we believe should be enacted for a league of nations. But I will say this to the Senator: I believe that there should be some permanent body like The Hague tribunal, with stated meetings, to which the United States should send representatives, which should create an arbitral tribunal to dis-

pose of those questions which we may be able to define as justiciable, and which do not so involve the internal government and vital interests of our country to make it advisable to agree in advance to submit to arbitration. I think with the Senator from Pennsylvania [Mr. Knox] we might go further in defining what those justiciable questions are and providing for some tribunal to determine them from time to time. I think we can go further in a united action through commissioners of conciliation who shall keep in touch with the affairs of the world and whose duty it shall be to intercede at once in the event of a threatened war.

I realize the difficulties. I have not prepared a charter, and I did not think it was necessary or would serve any good purpose. My hope was rather to start a discussion upon this question which is to-day occupying the attention of the civilized world, that the older and more experienced in mind of the Senate might discuss it for the benefit of the American people.

Mr. PITTMAN. I thank the Senator, Mr. President, and with the permission of the Senator from Illinois for a second—

Mr. LEWIS. I yield.

Mr. PITTMAN. I am now satisfied that if the distinguished Senator from Minnesota, who has given such careful consideration to a league of nations, is not now prepared to more definitely define a league of nations than he has done to-day, and he has defined it more carefully and fully than I have ever heard it defined before, it must be recognized that there is possibly some doubt even in the mind of the President as to the details to be worked out in the accomplishment of a league of nations. It is possible that all will admit, and I know that the Senator from Minnesota believes, that the President in asserting the general principle of a league or a concert of nations looking to an enduring peace has exactly the same purpose that the Senator from Minnesota has, and had exactly the same purpose in announcing it, that was, to stimulate the world to try to accomplish the same purpose.

I would have been surprised had the Senator from Minnesota gotten upon this floor and demanded a detailed explanation from the President of the United States as to what kind of a league of nations he intends to propose. I would not have been surprised if some of the other Senators had done so who knew nothing about it and did not have time to study the question, and they are the ones who have generally criticized any pronouncement of principle. I think possibly the same objections were made at the time it was suggested throughout the world that governments should agree upon rules governing civilized warfare. There was not any statesman on earth who could define the rules of civilized warfare, yet all the world believes in it. It could not be defined except by the people to be bound by it. It was defined subsequently by the nations to be bound by it. This principle is understood just as well as was the principle of civilized warfare, and this principle will be defined by the people to be bound by it, as I take it.

I think the Senator has done a wonderful service in so clearly delineating the various thoughts with regard to a league of nations.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield further?

Mr. LEWIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I do not understand that in my remarks I criticized the President in not going into the details of a league of nations, nor would I criticize any Senator for not defining accurately what kind of a league of nations should be established, a question that has perplexed the greatest minds of the world for hundreds and hundreds of years. I would like to know whether the President believes in a world tribunal which should have its decrees executed by force or not, but I have made no complaint against the President for not going into the details of a league of nations.

Mr. LEWIS. Mr. President, I gave notice yesterday that I would on Friday address the Senate upon the proposition of a league of nations for peace. I therefore at this time do not rise to address myself to that particular subject, but I do assume to refer to the preliminary remarks of the eminent Senator from Minnesota, that which evidently was not a part of the speech he had prepared and has delivered in the present hour on the league of nations.

Mr. President, I concur with the Senator from Nevada [Mr. PITTMAN] in his complimentary allusion to the Senator from Minnesota paying tribute to the speech as being wholly divorced from anything of a partisan tinge or touch of personal prejudice; also I concur with the able junior Senator from Pennsylvania [Mr. Knox] that the paper presented by the Senator from Minnesota this morning is a liberal contribution to history, litera-

ture, and statesmanship of the subject. Whether we will agree with his conclusions is a matter to be after determined.

But in the preliminary remarks of the eminent Senator I was very much interested. It is the first time on this floor that any Senator has referred to the failure of the President of the United States to appoint Senators as members of the commission to go abroad and attend the present gathering ordered for Versailles touching the matter of peace. From the Senator came the first expression in the Senate that could be taken note of for purposes of reply.

Mr. President, the public at large has been given the impression that in his appointments to the peace commission the President cast some slight upon this body; that by failing to appoint Members of it he indicated to the nations at large a lack of respect for its personnel or an indifference to the position it occupies in the affairs of government.

Mr. President, I am sure that the President had not any such views and was in no wise animated by the slightest sense of indifference to the very high position of this body or the influence its Members exert in anything they advocate, but I wish to bring to attention now, in reply to the Senator from Minnesota, and therefore in reply to the criticisms on this feature, some few things which I trust may not occupy any length of time, at least not any objectionable length of time, as a clear justification for the President declining to name Members of this body or of his failure to do so.

Mr. KELLOGG. Will the Senator yield?

Mr. LEWIS. I yield.

Mr. KELLOGG. I did not criticize. I gave my views.

Mr. LEWIS. The Senator is quite acquit of criticizing the action. He merely expressed the view expressed in other quarters of regret.

Mr. President, when it is suggested to the country that Senators should have been named on that tribunal there ought to arise at once this interrogation, which I hope the very faithful members of the press will present now to the Nation as from an humble Member of this body: What would be thought of any power naming as a judge to decide a cause a lawyer who had for eight months been the advocate on one side of the controversy? What would be said of that bench made up of appointed judges to try one certain cause where every one of them had been for eight months presenting his demand as to what should be the final judgment of that court? What would be thought of a court made up of members each of whom had defined what he felt to be the duty of the litigants, their obligations, and already through himself presented a final decree as to what that court should decide in the dispute? The reply would be that it was such a prejudiced tribunal that no fair man ought to suggest such, and no honorable man who had been such previous advocate would have taken a place upon it.

Mr. President, with that interrogation let us view this situation for a moment, that we might indicate to the public what must have been in the mind of the President of the United States, who must be conceded to be a learned man and a historian of the past, as to why a Member of this body was not placed by him as one of the commission to serve on that international peace tribunal.

Mr. President, first we view them entering into Versailles. They are met at once by the Governments who are interested in the conflict, with this acknowledged conclusion: "Gentlemen, you have in the United States Senate, in speeches manifold, presented the viewpoint that Alsace-Lorraine should go back to France. Yet you are here to sit upon a bench as a judge while Alsace-Lorraine is asking to be made an independent State on her merits after the order of Poland, and which you insist should be the fate of Serbia. Gentlemen of the United States Senate, you are brought here and put upon the bench when you have time and time again been urging that the attitude of France and Britain concerning certain boundary lines touching the Rhine should be of this and that conclusion." Conceded. "You have made speeches as to what should be done with Turkey; you have laid down your doctrines; you have announced them to your people; your people have accepted them from you; you have sought election; you have sought honor and position upon your views." Conceded. "And yet you come to sit as judges, with impartial minds, presumably, to have presented to you the relative contentions of these different countries as to what they feel to be the future rights, the divisions, the dispositions, the applications of all their future."

And then, further, Mr. President, we can hear them reflect: "You have, gentlemen of the Senate, time and time again stated what your opinion was as to what should be the penalty upon Germany, among which are retribution, indemnity, and the keeping by the allies of all the captured colonies of Germany."

"Yes." "You have felt it deeply in your hearts." "Yes." "You have proposed it to your countrymen." "We have." "And yet you are brought to sit on this bench as impartial judges with your judgment heretofore pronounced, having been accepted by your people, against which you dare not go and the reverse of which you dare not attempt. You are here to say if the Irredenta of Italy-Austria is to go all to Italy or some to Greece or any to South Slovakia. Yet you have announced too often to count that the Irredenta should all go at once to heroic Italy. You are here to decide as to a national Poland, a national Bohemia, a national Hungary. Yet as to all of these there is conflict of peoples within their domain insisting that no such organization should be created including them because of race, sect, or religion. Yet you are here," they will say, "to decide, after hearing, that which you have prejudged and time and time again announced your decision in Senate and public speeches."

Mr. SMOOT and Mr. NEW addressed the Chair.

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield; and if so, to whom?

Mr. LEWIS. I yield to the Senator from Utah, who first rose. Then I shall yield to the Senator from Indiana.

Mr. SMOOT. I desire to ask the Senator from Illinois if the same situation that he has just described as affecting Senators would not also apply to Lloyd George, to Clemenceau, and to the President of the United States, who, of course, will sit in the same case as judges?

Mr. LEWIS. I first answer the Senator from Utah. I must say "no." I had intended to refer to that feature, but I say "no," and I say "no" with great vigor. First, Lloyd George does not sit afterwards as a supreme court upon his own action, as would these Senators in Senate on confirmation of the treaty; neither does Clemenceau, to ratify for France what shall transpire in that peace body. As to the President of the United States, I must impress upon the Senator from Utah his constant statement that he goes to "tender his judgment," to "participate in a consultation," but not in the decision.

Mr. SMOOT. Mr. President—

Mr. LEWIS. I yield again to the Senator from Utah, but shall then yield to the Senator from Indiana.

Mr. SMOOT. I want to say to the Senator that what I stated was just exactly what Lloyd George does do, and that is more particularly true as to him than it is as to the President of the United States. In referring to the President of the United States, I only had in mind the question as to the return of Alsace-Lorraine. I do not want the Senator to think that I went further than that as to the President of the United States, but the position that Lloyd George holds gives him the absolute power, more so than the President of France or the President of the United States, to determine, after the decision is reached, that it shall be final and binding upon England and upon the English race.

Mr. LEWIS. Mr. President, I regret that the Senator from Utah and myself can not concur in that for this reason: He has a viewpoint as to certain forms of British legislative action which has no application to the present proceeding. I will illustrate that to him in a single clause. When the overtures of peace were sought to be presented by Fox as having been presented through Napoleon, Pitt was then premier. Pitt opposed Fox in the British Parliament, denying that these overtures of Bonaparte were just, and refused particularly to accept them as presented by Talleyrand. I invite the attention of the able Senator from Utah to the fact that subsequently the subject was debated upon the floor of Parliament. It was 1800—I think February. The question then arose, if the overtures as presented were to be agreed upon, whether the Houses of Parliament had the further right, after the agreement, to pass any judgment upon them. It was then held, sir, it has always been since held, so far as I know—I do not know the history preceding this event—that after the Parliament had designated, if it did, or the King had designated, if he did, delegates to represent the Empire, and the decision had been reached, that was the conclusion, so far as Parliament had power over the decision. The only thing that could then be done, I will tell my honorable friend, is for members to oppose it as a policy, then bring it up as a resolution of party confidence if the vote is adverse. They then go to the country for a new election, this course being different from ours and more democratic. That opposition, then, is sent at once to the ballot box as against the actors, and not, as my eminent friend assumes, to Parliament for a confirmation or rejection in form, as our Senate serves.

Mr. SMOOT. Mr. President, will the Senator from Illinois yield to me further?

Mr. LEWIS. Yes, for we are seeking to get the history of this correct. I have other things to say on other branches later.

Mr. SMOOT. Mr. President, I must dissent from the position taken by the eminent Senator from Illinois, as I understand the situation. I may be wrong and the Senator from Illinois may be right; but I understand that after this peace treaty shall have been concluded Parliament will have nothing whatever to do with it; that it is an executive function entirely, so far as England is concerned. It is not so much so with France and the United States as it is with England.

Mr. LEWIS. Mr. President, may I be pardoned to say that the Senator from Utah is absolutely correct? I have been seeking to make that exact situation clear to him. He is absolutely correct in making it. Parliament has absolutely nothing to do with it. The only action to be taken if objections are made—and they are made then on the ground, sir, that it is wrong or unjust to England, and a vote of confidence in the government making the treaty is denied—is at once to issue writs for an election. If they choose a new Parliament, may I submit it to the eminent Senator, he is quite right in the assumption that it does not take the part as our United States Senate here does, to confirm the action.

Mr. SMITH of Michigan. That would not change the treaty. Mr. LEWIS. And, as the Senator from Michigan well says, it could not change the treaty.

Mr. MOSES. Mr. President—

Mr. LEWIS. I ask pardon of the Senator from New Hampshire. May I yield first to the Senator from Indiana [Mr. New], to whom I owe that courtesy?

Mr. NEW. The question I proposed to ask was covered by the question asked by the Senator from Utah [Mr. Smoot].

Mr. LEWIS. Then I yield to the Senator from New Hampshire.

Mr. MOSES. I desire to ask the Senator from Illinois a question. Being unfamiliar with the functions or prerogatives or powers of Senators, may I ask the Senator from Illinois if he deems it likely that a single speech or any number of speeches made by Senators here would be likely to commit either the Senate or the people of the United States to any policy whatsoever regarding our foreign relations?

Mr. LEWIS. Mr. President, I will say to the Senator from New Hampshire that, knowing the high character of the men occupying this body, I would assume they would be free from being prejudiced, and that they might still be wholly impartial; but it would be very difficult to impress the people of Britain, the people of France, and of the smaller nations, who are now pleading at the bar of this gathering, that such men will be impartial judges, who had already rendered decisions both to themselves and to the Senate and to their country. It is for that reason I must impress upon the Senate that the President must have seriously been influenced by these situations when he came to the consideration of naming Members of this body. It would have been, sir, as though one named members of the Supreme Court to sit in the lower tribunal to make decision of that which they themselves were to review for affirmation or reversal.

Mr. President, apart from the fact that the instances and situations I illustrate would seriously impair the usefulness of such a Senator in that tribunal, weaken his force, lessen his strength, limit his influence, or becloud a needed esteem, what effect, sir, would it have here when he returns to this body when the treaty is presented? Would not this body well know that whatever vote he had cast there or reasons for such more or less had to be in compliance with previous views expressed in this tribunal? Would not the peace tribunal know that his influence here would be to exert the views he had expressed to his people and to the Senate previously, the reverse of which he might not dare to assume? Would they not feel therefore that the final conduct of his action there as commissioner or here as confirming Senator could not be regarded as wholly impartial? Or, let us take the other aspect—the measure the Senate would give to such Senator here on matters of confirmation. Would not certain party colleague Senators feel that they were called on to confirm the treaty out of that comity which Senators bear to each other and out of that courtesy that suggested that if they did not confirm the action of their colleague they would put that Senator in his State as one repudiated by the body of which he was a Member? Would not these party compatriots see that only by confirming could they sustain him? They know the political effect of repudiation. Would not all these considerations be pressed on them as of prime importance and necessary to reckon with?

I now invite the attention of the Senate to just a morsel of history. Henry Clay was so impressed with the fact that he would be beaten for the Presidency if he dared confirm by his own action as commissioner the treaty of Ghent, which arranged the peace of the War of 1812, that he declined to sign it. When

Gallatin, one of the commissioners, took him out into the corridor of a little hotel at Bruges to impress upon him—as history records—that if he did not sign it it would weaken us with Britain, with whom we had lately been at war, he refused upon the ground, as he then gave it—and, Senators, you are historians and you will hear me out—that the treaty in no wise contained one single line guaranteeing to us the seas, for which we went to war, and, as he said, for which he had demanded we go to war. He said—pardon the expression—“How in the hell could I sign such and go back to Kentucky?” Finally, sir, Henry Clay was called upon, through influences, to lend his acquiescence; but when the treaty came to this body and was confirmed it was so known to have been compromised to its acceptance that it lost its weight, and never to this hour is the procedure of confirmation or the terms of the treaty cited by any Members of this body as a precedent for anything.

Sir, let us recall that when the commissioners were selected to conclude peace with France in 1799 Oliver Ellsworth, Chief Justice of the United States Supreme Court, and W. R. Davie and W. V. Murray were chosen. The mission was successful and ratified here without a dissent.

Now, my able friend, the senior Senator from Michigan [Mr. SMITH], brings to my attention a matter which I shall advert to; it is that President McKinley named Senators to settle the treaty of Spain and America. Before I enter on this subject, may I ask to have a message sent the senior Senator from Massachusetts [Mr. LODGE] saying that if he has finished his lunch I should like to have him present, as I shall refer to a matter in connection with that treaty that I think is within his memory as a personal witness, and if I am in error I want correction, and if I am right I want confirmation.

Mr. President, I now state that when the war was concluded between our country and Spain President McKinley designated Senator Frye, of Maine; Senator Davis, of Minnesota; and then a Democrat, who had been a Senator, but, as I now think, was then a judge of a United States court, the Hon. George Gray.

Mr. THOMAS. Senator Gray was a Senator at the time he was appointed.

Mr. LEWIS. Was he a Senator at that time?

Mr. SMOOT. He was at that time a Senator.

Mr. LEWIS. I thank the Senators for the correction.

Mr. SMITH of Michigan. And he was a very eminent Senator.

Mr. LEWIS. He was an able man. Indeed, I recall being an advocate of his for the Presidency.

Mr. President, then, apart from the fact whether he was then in the Senate or had been appointed judge, he was designated as a minority representative. There was at that time all over this land a very serious dispute as to whether the United States should take over the Philippine Islands. It was a question to which our country was very alive. I lived on the Pacific coast then; I had the honor then to represent in Congress, as Congressman at large, a State on the Pacific coast, the State of Washington; but in New England and in the South there was great resentment against taking the Philippines, while in my section of the country there was seemingly a very strong demand for that action, on the theory that it strengthened the Pacific coast. I opposed it, and was in the minority.

Mr. President, when that treaty came back to this body it embodied the taking of the Philippine Islands and the paying of \$20,000,000 to Spain. The treaty also carried with it certain other provisions. The debate as to the confirmation of that treaty continued days and weeks. Senators sitting about me, such as the Senator from Alabama [Mr. UNDERWOOD], the Senator from Michigan [Mr. SMITH], and the Senator from Kansas [Mr. CURTIS], who were then Members of the other House, will recall with what fiery dispute that peculiar debate swayed to and fro. Sir, I ask the memory of those who were around at that time to recall one of the charges which Senator Hoar, of Massachusetts, made on the floor of this Senate against the confirmation of the treaty. Among other things he said that Senators were being implored out of a comity of the relations they bore to Senators who had participated in making the treaty and in accepting what he called “the burden of blood” and putting it on the country.

Mr. SMITH of Michigan. But the country did not adopt their view.

Mr. LEWIS. That is positively true—to later qualify its position.

Mr. President, that treaty was discounted on this floor by Senators who were called upon to vote for its confirmation because of the knowledge that there was being imposed upon them a sense of fraternal obligation because of their fellow Senators being a part of the board. There has passed to

heaven, let us believe, the then distinguished senior Senator from Maine, Mr. Hale, the differences between whom and Senator Frye, his colleague, who helped make the treaty, were not altogether closed even at death, if political history, incidental and otherwise, is correct, because of that peculiar situation put on Senator Hale by the position of his colleague. Senator Hale conscientiously opposed that treaty, and he was put in the peculiar position of warring against his colleague, and the burden put upon him was so heavy because of the charge that he was reflecting upon the State of Maine by his opposition to his colleague that it greatly disturbed him.

Mr. President, there was a Senator on this floor—I do not know what political designation he went by then, whether Republican, silver Republican, or Democrat—Senator Pettigrew of South Dakota—who in his opposition to the treaty—

Mr. SMITH of Michigan. He was a Democrat then. He was a Democrat in 1896, and this occurred in 1898.

Mr. LEWIS. The Senator from Michigan tells me he was designated as a Democrat. I thought he was a silver Republican, so termed. Among other things, if the public press be right, he characterized the attempt to enforce the treaty upon this body as an effort to secure political advantage to the Members of the body who had participated in framing the treaty. And, Mr. President, let the Senate recall that so bitter became the dispute in this body and so divided its counsels that that treaty was ratified finally by the very smallest margin, and the action left for years afterwards, sir, wounds which were never thoroughly healed in the lifetime of those who participated.

That being true, Mr. President, what think you, sir, would have been the result if Senators had been named by the President of the United States and had presumed to sit upon this Versailles tribunal and, although urging the best conclusion they might, had returned here and asked that all be ratified? Will anybody fancy that it would not be said that their judgment had been made before they ever took their place? Will it not be said over in Europe that we gave them a prejudiced tribunal? Will it not be charged that we sent men who were partial and who had already prejudged the case? And when they returned here would not those who had found objections to the treaty feel that they were under some obligation of fraternity, some comity of relationship, some courtesy of association to confirm that which individually they may have felt they should oppose? Would not their freedom of opposition be stunted, if not paralyzed, to a great degree by the knowledge that their assault upon the result was an assault upon one of their colleagues? And, sir, if we should confirm things that meet the objections of those of our fellow citizens anywhere, could you ever quell the voice of our protesting citizens, who could charge us with having done so for no other reason than that Members of our body had their political fortunes in the balance and at stake, and thus deprecate our action and discount the treaty? It would have a cloud on its title forever.

Surely, Mr. President, these reflections must be recorded as a very just reason why no fair man standing as the President has stood, and does stand, could have ignored the very impending and influential reasons against naming one of the members of the supreme court, who must ratify this treaty, to sit in the lower tribunal and make a decision which he himself would afterwards pass upon as right or wrong against assault.

Senators have said—I have heard them on this floor most sincerely say—that they have a right to be kept in touch with the proceedings. Mr. President, I pause. I observe the senior Senator from Massachusetts [Mr. LODGE] is now in the Chamber, and I desire to ask him if his memory accords with my own. I stated before the Senator came in, and when I sent word to ask the Senator to come in, that the public press reported that his then eminent colleague, Mr. Hoar, in his opposition to confirming the treaty known as the Spanish-American treaty in 1898, then charged, among other things, an attempt to influence the free judgment of Senators by the mere fact of the comity amongst Senators; that this treaty had been presented, among others, by those who were Members of this body; and that prevented fair and free thought. I also called attention to the speech which Senator Pettigrew is reported to have made in the Senate, who likewise, following Senator Hoar, and, seemingly to me, adopted his viewpoint, charged that they could not have free and fair consideration because of the influence of the fact that Members of this body were participants in the peace tribunal. I charged, as a result of that, that the very narrow margin by which the treaty was ratified was due to that feeling of comity. I should like to ask the distinguished Senator from Massachusetts if his memory of those debates, if he has memory of them as a then Senator from Massachusetts, agrees with the newspaper reports. I was not a Member of the Senate at that time.

Mr. LODGE. Mr. President, it is impossible for me at a distance of 20 years to state just what occurred in that debate. My colleague, Mr. Hoar, was very much opposed to the treaty; but I do not remember whether or not he said anything about comity to other Senators. I have no recollection of it. It would be discovered—no, it could not be discovered, because that treaty was discussed in executive session.

Mr. LEWIS. I may say to the eminent Senator that I would have gotten the RECORD and produced it but for the fact that I had to take such information as I have only from the public papers and traditional recital from those who recall the incidents.

Mr. LODGE. Of course. I do not recall that my colleague said it, although he may have done so. The question of the Senators being signatories to the treaty, however, played very little part in the debate, and I do not think had any influence whatever on the result. The contest arose, as the Senator is well aware, out of the provision of the treaty taking the Philippine Islands.

Mr. LEWIS. I think the Senator in the latter remark confirms what I have previously stated to the Senate was to my knowledge the contention of the time—the Philippines—as I was not then a member of this body, being a member of another body, which had no right to participate in the deliberations incident to the ratification of the treaty.

Now, Mr. President, I come to the concluding feature, to which I ask Senators' attention for a moment. Senators have stated here that they have a right to be kept in touch with the proceedings, and therefore, for that reason, should have a representative at the peace conference. I reply to that by saying that if a Member of the Senate were there, however, the Senate would not be kept in touch with the proceedings; all he could do would be when he came back to arise and recite what transpired. The Senate could not have a report from him every minute an expression was had, the atmosphere that surrounded it, the sentiment that enhanced it, the prejudice that weakened it. Mr. President, does the Supreme Court of the United States have each step of the trial in a lower tribunal brought to it each moment it transpires as a reason or basis for reviewing the opinion that is before it under complaint of error and in the process of appeal for reversal? Not at all. But if the proceedings are to be made familiar to this body, it will not be overlooked that there will be stenographic reports, and the Senators will have the same reports as any other tribunal would have upon appeal. They will have the reports exactly as they have upon any other treaty negotiated and brought from abroad. They never know respecting other treaties each step that is taken in the deliberation; they have to take the paper as it is sent in to them in its entirety, not the deliberations and the debates at all, but, if so, they are in the stenographic report and in the bound official volumes. Will not that material also be before this body in this incident, as has been the custom for all time?

Then, Mr. President, is there anything else this body shall pass upon but the final conclusion reached, and the conclusion, sir, is the treaty complete? This action is measured only by the evidence that is brought before the Senate in the record. Therefore I must differ from the eminent Senators who lay down the doctrine that there should be a Senator upon the board, or many Senators, in order that the Senate may be kept in touch. First, I deny the premises; we would not keep in touch by such a plan. Second, they are not called on to keep in touch, but they are only to be cognizant of, aware of, and informed of the proceedings as concluded, and such proceedings as will enlighten them to the conclusion they will have to reach; that is, whether they wish to ratify or to reject the treaty. There can be no amendment, no change, no addition or reduction—the whole as a whole or none at all, complete acceptance or wholly rejected.

Mr. SMITH of Michigan. Mr. President, I should like to make a suggestion to the Senator from Illinois which may not be timely or important.

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I fail to see, as one Member of the Senate, why the treaty of peace with Germany and Austria-Hungary is so fraught with danger to our country. We are in no peril; we were victorious and sit in judgment; whatever the terms the vanquished must yield. We are not at war with Turkey, and therefore there will be no treaty of peace with Turkey so far as our country is concerned; we are not at war with Bulgaria, and there will be no treaty of peace with Bulgaria. We have renounced in advance any general monetary indemnity from the central powers, and therefore the question of a monetary indemnity can not arise. We have absolutely foreclosed ourselves against any territorial acquisitions, and therefore that question can not arise; and the question of put-

ting into treaty form with Germany and with Austria-Hungary any provision which links our Government to theirs in a league of peace must await the trend of events and the ultimate good faith of those Governments. I am speaking only of the actual work to be performed by the Senate. The Paris conference will take wider scope and undoubtedly lay the foundation of peace broad and deep. In this the President will have an important part, but the Senate need not be consulted until such action takes definite form. In other words, a league of nations is a league between England, France, Belgium, and Italy, our allies, and ourselves, and if the peace conference at Paris should finally determine informally that a league of nations was desirable an agreement must be made separate and apart from the treaty of peace with Germany and with Austria. It may be that very important questions will arise affecting the territorial limits and the integrity of smaller States; I know that they are apprehended, but this will be a matter of policy and not of law and ample information will be forthcoming. I have been very much impressed by some of the things I have heard to-day about their importance; but, nevertheless, the question of indemnity and territorial compensation having been voluntarily eliminated, it seems to me that our duty in the first instance will be a very simple one, and if we league ourselves with foreign States afterwards upon any basis of obligation and reciprocity that must be brought about by voluntary cooperation among the victors and the vanquished or by the victors alone. I have full faith that American interests will be protected by the chosen representatives of the American people.

Mr. LEWIS. Mr. President, of course that subject referred to by the Senator is fraught with serious difficulties and impends with very difficult problems. I expect on Friday to refer to that phase and will not intrude it now. It does not enter upon the present discussion to which I am addressing myself, as the Senator very wisely saw; but I nevertheless invited his observations by yielding to him. I will conclude upon the single thought—

Mr. SMITH of Michigan. I hope I did not interrupt the Senator against his will.

Mr. LEWIS. Not in the slightest. I invited it. The Senator did not interrupt me against my will; we have had associations for many years, and nothing that he has ever done that touches me has been against my will. I have not always been able to agree with him, but interrupting me by him meets my approval.

Mr. President, I was concluding upon the line of seeking to disprove wholly the ground that had been urged in many quarters, that it was necessary that Senators should be made members of this commission or that they should be kept in touch; and I replied by saying that the Senate would not be kept in touch had Members of the Senate had membership on the commission. I had stated that the only touch they are called upon to have with the proceeding is, at the conclusion, with that which will be reported to them officially, as with any other treaty, for acceptance or rejection. I reaffirm my views as expressed.

Mr. President, I have assumed at this time to offer these observations because the remarks of the Senator from Minnesota in the opening of his speech—in harmony with similar observations made in many quarters—would have led the country to conclude that which it has drawn too generally from other observations—that the President had failed to do a necessary and legal thing, or that he had failed in a necessary duty, or that there was no excuse for what he did in failing to put Members of the Senate upon the peace commission. Mr. President, may I be pardoned for saying—I can speak of my own knowledge—that it was the wish of the President of the United States to have Members of this body and some of the other legislative branch upon that tribunal, and not until close investigation and reflection restored him to the difficulties and revived to his mind what undoubtedly would confront them was he compelled to dismiss that consideration. I only mention that now that it might be known that at no time was there contumely or indifference cast upon this body by the mere omission to make those appointments.

I have made these statements, I have set forth these grounds why the President was justified, in my viewpoint, not, sir, that I wish to enter upon the discussion at this time as to what might be called the propriety or the impropriety of naming Senators, but in order that we may do no wrong to anyone. We do not wish to send the President of the United States from this country with the stamp of the scorn of his countrymen upon him. There is no patriot of this body who would send him forth striped with the maledictions of the United States Senate or send him forth as one who goes with a verdict of his countrymen of repudiation and discredit. Surely every man wishes that in the mission upon which he has entered the

President shall have Godspeed and shall have success and come back with glory. That means the honor of his country; it means the victory of his Nation. Anything else felt in the heart of any man or uttered from any American could be little less than treason to his country.

It is, therefore, for the reason only that he may be set right by a mere suggestion, which I know is sufficient when reflected upon, that I have assumed to enter upon this phase of the discussion, feeling that it is justice we seek, and only that; and my mind reverts—it is not inappropriate to enter upon that theme here in this forum—I take my text from the famous line of Bulwer-Lytton in *Richelleu*:

For justice, all seasons summer, all places a temple!

I thank the Senate.

Mr. SMOOT. Mr. President, just for the RECORD I wish to say that Hon. George Gray, the gentleman referred to by the Senator, served in the Senate from March 19, 1885, until March 3, 1899. He was a member of the commission which met in Quebec in August, 1898, to settle the differences between the United States and Canada, and later of the commission which met in Paris in September, 1898, to arrange the terms of peace between the United States and Spain. Therefore, he was a Senator of the United States at the time of his appointment.

Mr. McKELLAR. The treaty being concluded on February 6, 1899, before the expiration of his term of service on the 3d of March.

Mr. SMOOT. Yes. Now, Mr. President, I want to get back to the bill before the Senate.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. SMOOT. Mr. President, I am compelled to leave the Chamber at this time to attend a very important meeting of the Finance Committee, and I want now to offer and have pending, unless the Senator in charge of the bill agrees to them, the amendments which I am about to state.

Mr. McKELLAR. I shall not object to the amendments.

Mr. SMOOT. Then I will just offer the amendments now and let them be passed on now.

Mr. McKELLAR. That will be all right.

Mr. SMOOT. On line 4, page 4, I move to strike out the words "and elects to receive" and insert "or is receiving."

Then I move to strike out the last word on line 4 of the same page, the word "disability," and line 5 down to and including the word "his."

After the word "service," on line 6, I move to insert the words "the period of such military or naval service."

After the word "act," on line 7, I move to insert:

And nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for.

This will be adopted, I suppose, as a whole—all one amendment.

Mr. FLETCHER. Mr. President, the Senator says this is practically all one amendment. Will he state the object of it?

Mr. SMOOT. I will state briefly the object of it.

As the bill was reported, it prevents a soldier of the Civil War from receiving any benefits under its provisions. My amendment simply allows him to receive the emoluments provided for in the bill notwithstanding the fact that he is receiving a pension for service in the Civil War.

Mr. THOMAS. In other words, it permits him to receive two pensions.

Mr. SMOOT. Well, if you could call them two pensions. If this is a pension, then what the Senator says is true.

Mr. McKELLAR. Will the Presiding Officer submit the amendment?

The PRESIDING OFFICER. The Chair understands that there is an amendment pending.

Mr. SMOOT. I ask unanimous consent that this amendment be considered now, because I have to leave the Chamber.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered. The Secretary will state the amendment offered by the Senator from Utah.

The SECRETARY. On line 4, page 4, it is proposed to strike out the words "and elects to receive" and insert "or is receiving." The amendment was agreed to.

The SECRETARY. On lines 4 and 5 it is proposed to strike out "disability incurred in the line of duty, the period of his."

The amendment was agreed to.

The SECRETARY. On line 6, after the word "service," it is proposed to insert "the period of such military or naval service."

The amendment was agreed to.

The SECRETARY. On the same page, line 7, after the word "act" and the period, it is proposed to insert a comma and the following words: "and nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for."

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Tennessee [Mr. McKELLAR].

Mr. POMERENE. Mr. President, I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The Senator from Tennessee offers the following amendment: On page 7, line 18, strike out the words "to whom this act applies" and insert "in the classified civil service, or of each person thereafter inducted into such service, with the exceptions herein made."

Mr. McKELLAR. That is an amendment to which the Senator from Iowa [Mr. CUMMINS] called attention yesterday.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Wyoming [Mr. WARREN].

The SECRETARY. On page 8, lines 10, 11, 12, 13, 14, and 15, it is proposed to strike out the following words:

There is also appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum which, when added to the deductions herein provided and transferred from other appropriations under the provisions of this act, shall be sufficient to make payments provided by this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. McKELLAR. The next amendment is the amendment offered by the Senator from Colorado [Mr. THOMAS], I think.

The PRESIDING OFFICER. The Senator from Colorado offers an amendment, which will be stated by the Secretary.

The SECRETARY. It is proposed to add a new section, as follows:

SEC. 17. Any employee who shall advocate, encourage, or participate in any strike against the Government, or any department, bureau, or commission thereof, or who shall join with other employees in refusing or failing to perform their duties as required by law or the rules and regulations of the heads of the departments, bureaus, or commissions, shall forfeit all right to and shall receive none of the benefits of this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---------------|----------------|--------------|------------|
| Baird | Johnson, S. D. | New | Smoot |
| Beckham | Jones, Wash. | Norris | Spencer |
| Brandegge | Kellogg | Page | Sutherland |
| Calder | Kendrick | Penrose | Swanson |
| Chamberlain | Kenyon | Phelan | Thomas |
| Curtis | King | Pittman | Thompson |
| Dillingham | Kirby | Poindeexter | Townsend |
| Fernald | Knox | Pollock | Trammell |
| Fletcher | Lenroot | Pomerene | Underwood |
| Frelinghuysen | Lewis | Ransdell | Vardaman |
| Gay | McKellar | Reed | Warren |
| Gronna | McLean | Shafer | Watson |
| Hale | Martin, Va. | Sheppard | Weeks |
| Harding | Moses | Smith, Ariz. | Williams |
| Johnson, Cal. | Myers | Smith, Ga. | |

Mr. McKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is still absent on account of illness. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GORF] on account of illness.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. POMERENE and Mr. REED addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. REED. Mr. President, I do not want to interrupt the Senator if he wishes to speak on the bill.

Mr. POMERENE. I was going to offer an amendment as a substitute.

Mr. REED. I desire to have read a very short statement, to which I should like to have the Senate's attention directed, if the Senator will let me have the floor that long.

Mr. POMERENE. I yield.

LEAGUE OF NATIONS.

Mr. REED. Mr. President, I send to the desk and ask to have read a portion of a letter written by Hon. D. J. Haff, of Kansas City, Mo., a very prominent lawyer, who has had a great deal to do with the organization of the National Security League and who has been a tower of strength in all matters of preparedness in this country. I should like to have read to the Senate the part that is not marked out. I think it is well worthy the attention of the Senate.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the matter referred to.

The Secretary read as follows:

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country; and he should have spoken then if ever he intended to. Indeed, he had nothing to say on the subject of future national preparedness except to recommend the continuance of the prewar naval program, for which let us be thankful. So if a policy of national defense is to be adopted the people must force it.

One of the things that already are turning the thoughts of the people from the necessity of an effective policy of national preparedness is the belief which the President has fostered that we are going to have a league of nations that will effectively prevent all future wars. This, for the most part, is a dream upon which we can not afford to rely. Much can be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so ably proposed in his speech last week. A league of the more decent nations can be formed having common ideals and based purely upon treaty and honor and a sense of moral responsibility and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper"; but to have a league that will prevent war by force, that will coerce its members, is to create a supnation, which means the surrender or destruction of the independence and sovereignty of all its members.

Does any intelligent, thinking man seriously believe that we are—that the nations and the peoples of the world, or a sufficient number of them to dominate the world, are ready for such a thing, for a United States of the world? Can Aryan, Mongolian, and Hottentot, white man and yellow man and black man, Christian, Mohammedan, and Buddhist, speaking a hundred different mutually incomprehensible languages, striving after innumerable opposite ideals, rooted in thousands of years of different habits and of thinking different thoughts and molded by different educations, prejudiced by different and hostile religions, and trained in widely different moral codes, be brought together in the next three months by a peace treaty and formed into a common brotherhood, a world federation, that will kill ambition, annihilate the spirit of revenge, extinguish race pride and prejudice, hatred, greed, lust for power, and all the human passions, evil and noble, that have caused wars since the beginning of history, and thus, by a parchment-created league of nations, immediately and for all time insure the peace of the world?

Who can possibly believe, if he has intelligence and a reasonable knowledge of history, of ethnology and human nature, that it can be done in the next six months, or in a century, or in two or five centuries? Was it not Bacon who said that the only safe teacher is experience? Have the last four years taught us nothing? Did we not have an awakening that at least this generation can not, or at least should not, forget?

Well, then, let us get out of the clouds and remember the processes of evolution, the slow and painful steps by which are attained the progress of mankind and the improvement of human government.

To my mind the subject upon which the people of this country most need education during the next three months, immediately and while the peace congress is in session, is this very question of what can and what can not be accomplished by the pending peace commission and the proposed treaty in the prevention of future wars. Fools are running around dreaming foolish dreams, making much noise, and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

Mr. WILLIAMS. Mr. President, what is the name signed to that letter?

Mr. REED. I stated who signed it.

Mr. WILLIAMS. Yes; but I want to know the name. I did not hear it.

Mr. REED. D. J. Haff, a prominent attorney of my city.

Mr. WILLIAMS. Mr. President, I want to say just this in connection with that subject—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. Yes; I yield.

Mr. WILLIAMS. I will ask the Secretary to send me the letter. I am not certain that I can recall the language to which I refer.

Mr. REED. It is a private letter, and I had only a part of it read.

Mr. WILLIAMS. I know; but the Senator put it in the RECORD.

Mr. REED. I put a part of it in the RECORD.

Mr. WILLIAMS. I want to get one part of that part of it which has been read. [Reading:]

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country, and he should have spoken then if ever he intended to.

Evidently this gentleman expects the United States to go into the Prussian universal military training system immediately

after the war. He expected the President to advise the representatives of the people in the Senate and the House to go into it.

He had nothing good to say on the subject of future national preparedness except to recommend the continuance of the prewar naval program, for which let us be thankful.

I am very glad to hear that this gentleman is thankful for that much, because if we keep the naval program up to where it is now nobody in Europe can ever attack us. We will be isolated—on the defensive—from all future wars. But that is not the part I was trying to reach in connection with this letter. I am trying to find the part where, as well as I remember it, he says that there are still fools raging around, having visions concerning future peace.

Mr. REED. I will find it for the Senator.

Mr. WILLIAMS. Ah! Here it is:

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

"Fools are running around dreaming foolish dreams!" Jesus Christ dreamt it. David, the sweet singer of Israel, dreamt it. George Washington dreamt it. Robert E. Lee dreamt it. The poet Tennyson dreamt it. All these people are fools in the opinion of this Missouri lawyer. I suppose he is a lawyer. It sounds like it, from the way he talks.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

I suspect that about the Stone Age, when one fellow went after another with a club and a piece of flint, and drove that fellow and his partner—not his wife, but the female that he had captured—back into the cave, and took her away from him, that somebody rose up at once and said: "Don't be a fool. Don't be an ass. Don't run around dreaming foolish dreams. Of course, men have got to capture women every day and carry them off out of and into caves; and of course other men that are stronger have got to invade the cave and carry the woman away again; and of course barbarity is perpetual, and we can not help it." And if the argument of the Senator from Missouri be correct, of course the whole world has got to put itself upon an equal footing with Prussia after this war is over. According to the Senator from Missouri we have got to make an armed camp for the whole world as the only hope of peace.

Now, if that is the only hope of peace, upon my honor I would rather Prussia and Germany would have whipped us and we would have had universal domination with some degree of peace. If we are to tax the people all our lives to keep prepared one against the other in mutual suspicion for future warfare and look for it every morning before breakfast; if peace be a useless dream, and if the Prince of Peace be an idle superstition, and if there be no sense in the hope that perhaps humanity may settle its quarrels without murdering one another, then, as far as I am concerned, I would rather be foregathered to my forefathers to-morrow than to live in this world another 10 years. I have seen enough of it during this war.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

"Making much noise." Who is making the noise? The Prussians made it in their time. The Hohenzollerns made it in their time, and the men who wanted to wait until Prussia could get to America before they fought, instead of accomplishing peace by offensive attack, made it in their time. The Huns under Attila made the noise in their time. The Goths under Alaric made it in their time. The maddened and impassioned soldiers of the French Revolution, who started out to conquer liberty and wound up by undertaking to conquer glory under Napoleon, made it in their time.

There is or is not a God. And God either is or He is not a prince of righteousness and justice. If it be true that fools only dream of peace and fools only dream of an agreement amongst nations whereby peace can be perpetuated, then there is no God of righteousness and no God of justice and no God of mercy, or else, on the other hand, if there be a God of justice and righteousness and mercy He has given me and you a common sense and a common conscience whereby we can be guided in peace consummation. Common sense means merely the sense of all average men in the aggregate, and common conscience the conscience of the average man throughout the world. If He has given us common sense and common conscience, He has given it to us as an instrumentality whereby we can reduce the world to order and to peace and to progress and to civilization, and whereby we shall not be forced to go to the Prussian junker system of universal armament, one man and one nation and people suspecting the other all the time.

"Dreaming a fool's dream, making a noise." It has not been the poet and prophet who have made the noise and dreamed the

foolish dreams. It has been the men who have violated all the dreams of the poet and all the visions of the prophet who have done it.

I was mighty glad when my boys were willing to go out and imitate their grandfather, who went out to fight for what he thought was right, but in another sense I was mighty sorry that the condition of the world was such that they had to go. I am not willing at the end of this war to confess that America and England have been wrong and that we must imitate the continental custom of keeping always armed cap-a-pie. We have just proven that we can call upon the reserve forces of our nations and conquer a constantly prepared military barbaric power. I am not willing to keep the people ground down with taxes throughout years and years because somebody says that the dream of peace is "a fool's dream." It is not a fool's dream. It is a poet's dream. It is a prophet's vision. It is a Christian's communion with God, and it is the purpose of the God of justice and of righteousness throughout the world, and that purpose must be finally accomplished through the common sense and the common conscience of the common men in all democratic countries fighting against all autocracy and against all bolshevism and all nonsense throughout the world.

Mr. REED. I hope the Senator from Ohio will indulge me for a few moments.

Mr. POMERENE. I yield to the Senator from Missouri.

Mr. REED. Mr. President, when I offered the letter of Mr. Haff to be read I had no idea of incensing the Senator from Mississippi; neither did I expect to arouse in him that zealous fervor which always makes his speech charming. Indeed, in hastily running my pencil through the paper—because this was a private letter—I inadvertently did not carry it down far enough to cut out one paragraph which might have been taken to be a criticism of the President, although it was not of an unkind or cruel nature. What I wanted to get before the Senate was this gentleman's very sane and logical statement, a statement which the Senator from Mississippi did not hear throughout, I am sure, or he would not have singled out a single sentence and made it the subject of his bitter criticism.

I do not know what the Senator may believe about a league of nations to enforce peace, but I know that although Jesus Christ nearly 2,000 years ago taught the doctrine of peace, taught the duty of men to maintain peace toward each other, He never promised us that condition until the day should come when the great God had purified the hearts of men and out of their souls had driven all cruelty, all lust, all evil, so that the lion and the lamb might lie down together. That day has not yet arrived. It may come in the providence of God and in the fullness of time. When it does come my brother from Mississippi and myself and all others will be very different men from what we are now. We will be more charitable. We will have a truer vision. We will be less inclined to get irritated. We will not fly into a passion at the opinions of another. We will have just views on all questions. We will, in truth, be fit for the angelic abodes. But I am afraid that it will never come to my friend from Mississippi or to myself until death has closed our eyes, until we have been enfolded in the embrace of that God whose charity may be great enough to cover entirely with its broad and generous mantle our manifold faults and imperfections.

Mr. President, poets have dreamed of peace, parliaments of man, and federations of the world. The vision has been and is a beautiful one, but thus far in the history of the world it has only been a dream. The nation which to-day relies solely upon maintaining peace by moral force will almost certainly become the victim of military force. There must be something besides trusting in God. The old continental commander added, "Keep your powder dry." While we are in this workaday world we must observe the actual conditions of life.

It is true that there ought to be no savages; but if a man were to go into a savage country unarmed and unprepared to defend himself it is altogether likely that he would never come out alive. It may be said that some have done this. Some saints have gone and with their kindness have won the hearts of savages. That is true, but taken by and large men do not place themselves within the power of uncivilized men.

As there are differences between individuals and tribes, so there are differences between the nations of the earth. Some are inspired by lofty ideals, by a spirit of justice. They recognize the principles of law and equity.

Others are controlled by motives of cruelty and selfishness. All of them are more or less the victims of prejudice, of race hatreds, due to differences of religion, differences in morals, differences in education, differences in blood, differences in likes and dislikes. And, above all, they are divided by hatreds

born of oppression. These differences have during the course of the ages so separated races that they almost seem not to belong to the same human family. It is lamentable to the last degree that this is so. It is equally lamentable that there should be living in peaceful Christian communities men who can lay their hands to the hilt of a knife and drive it into the breast of a sleeping man or woman and rob them of their property. Yet there are murderers. It is lamentable to the last degree that there are men who break the doors of houses and rob and plunder. Yet it is so that there are now, as there always have been, criminals upon the earth. It is regrettable that there are men so base that they will cheat and defraud their neighbors, who can gather to themselves wealth by dishonest practices. And yet every court there is in the world is but a monument to the fact that human cupidity and human cruelty and human injustice are everywhere. They universally are to be found. It is a most regrettable fact that we must have a police force in the city of Washington and in every other city of our land and in every city of the world, a police force without which women would not be safe upon the streets, homes would not be safe. Even strong men would not be safe without a force of law and order to suppress the evil elements of society.

It is a pity, sir, that men do not observe throughout the world a spirit of unalloyed equity, unsullied justice, and exalted righteousness. How beautiful a world it would be if all men would be just! There is no song that ever fell from lip or pen of poet with a more exalted or beautiful theme than that of a world in which justice rules and universal equity holds unchallenged sway. But it has not been. It is not now. We may dream that on some future day it will come, that sometime the divine light will penetrate the darkness of the human soul and the holy finger of love be laid upon hard and cruel heart of man. Yet though we may dream these beautiful dreams, the practical man, the sensible man, knows that he must guard his door, must be prepared to protect wife and child. He also knows that for similar reasons he must at all times be prepared to help protect his city, his State, and his country.

The men who assert this doctrine of common sense can afford to be sneered at. They can afford to exercise patience with those who grow excited and inclined to scold when they are told their vision of universal peace at this time is an idle dream—a foolish vision—and that at this day and age of the world it is impossible to substitute divine love for human cruelty and selfishness by the mere signing of an international agreement providing for a league of nations. If they believe it is foolish, they have a right to say so. I believe it is foolish; but I do not think everybody is a fool who does not agree with me. I made a speech the other day extemporaneously, and I believe I used an expression of that kind. I did it inadvertently. I withdraw it. There were a lot of people before the war came on who were telling us that the time for universal peace had come. I remember that one distinguished statesman negotiated some 20 treaties with some 20 nations. In those treaties agreements were made looking toward the arbitration of international difficulties.

The difficulty, as suggested to me wittily by the Senator from Michigan [Mr. SMITH], was that the treaties provided that all controversies were to remain in cold storage for a year. During all that time nothing was to be done to right any wrong; there was to be no war waged, no force used. I did not vote for those treaties. I nevertheless just as much desire peace as does my distinguished and brilliant friend. I just as much want peace as anyone. If dreams could only bring peace, I would be willing to dream from now until my eyes are closed for the last time in that dreamless sleep which comes at last to all.

Mr. KELLOGG. Will the Senator yield for a suggestion?

Mr. REED. I yield.

Mr. KELLOGG. I understand the Senator refers to the treaties negotiated by Secretary Bryan?

Mr. REED. Yes.

Mr. KELLOGG. I do not think those treaties provided for arbitration.

Mr. REED. They provided a method which we may call a method of arbitration for the purpose of what I am saying at the present time.

Mr. President, I did not vote for those treaties, and I will tell you why. As I understood them, a year must elapse before our Government could take any steps to arrest by force the doing of any act, except possibly the invasion of its own territory. I did not believe that was wise. One illustration will serve to present my view, whether it was correct or incorrect. Conceive this sort of a situation: A foreign nation seeking to gain control

of the country immediately adjacent to the Panama Canal either through the negotiation of a treaty with or by force entering Colombia.

Conceive that this nation should start to build fortifications that would command the canal. Suppose that we should protest and our protest be disregarded. Suppose we should under such conditions find ourselves confronted with a treaty which bound us to wait a year, but did not bind the other nation to cease preparing for our injury, perhaps our destruction. Suppose we thereupon sat down to wait the expiration of the allotted 12 months. Suppose that during all that time our enemy should continue to build impregnable fortresses and to back them by an army of three or four million men. Might we not be forced ultimately to sacrifice hundreds of thousands of lives and billions of dollars to drive out the fortified enemy?

Mr. President, I may have been mistaken, but that was one of the provisions I believed was wrong about those treaties. It is true we might in an exigency of that kind disregard the treaty, disregard its letter, or disregard its spirit. That is only coming back to the ancient doctrine which all of us when we are exercising our sound judgment must acknowledge, and that is that as long as we remain a sovereign nation we must retain at all times the right to defend our vital interests upon the instant, for otherwise we may receive a deathblow while we wait.

Who is to guarantee the safety of America? It can be guaranteed in two ways. One is by the strength of our own arms. It may be the trained military arm or it may be the untrained arm possessing still enough of untrained strength so that it can defend itself even against all comers. I do not stop to argue that question. But, I repeat, we can defend ourselves in one of two ways. One is by our own strength. The other is by reliance upon other nations. Find me, if you can, any other means. Either our own strength must be relied upon or else we must rely upon the strength of other nations or, I might add, a combination of the two. How, then, shall we rely upon the strength of other nations? We must rely upon their agreements. We have nothing else to rely upon. We must substitute for the ability to defend ourselves the expectation and hope that other nations will assist us if we are attacked. That means that we are to make alliances and agreements.

There never was an agreement made between nations that did not involve reciprocal obligations. If other nations agree to defend this country if attacked, then we must in turn agree to defend them if they are attacked. If other nations in mutual agreement bind themselves to maintain the peace of the world by going to war to force peace, then we are bound to likewise go to war in the quarrels of others. Thus we have a defensive alliance and also a league that binds us to enter all the wars of the world.

The advocates of the league have now reached the point where they propose that the United States shall take her sons, boys from farm and factory and countinghouse and office, and transport them across the sea to defend not the rights of the American Nation but to settle the quarrels of European or Asiatic nations with which we are not at all or only remotely concerned.

Gild it as you may with all the ecstasies of oratory or the rhapsodies of religion, soar to every height of poesy, you can not escape the hard and cruel truth that this Government, this people, must be prepared to defend itself or it must rely upon other nations to defend it in whole or in part. I repeat that if we rely upon other nations to defend us, then we must agree to reciprocally defend them.

Now, Mr. President, that being the case, is a man just exactly a monster who suggests that it is better and cheaper in the long run to have some preparation here than to be unprepared? That is all this good lawyer said, even if he is a Missouri lawyer, and my friend seemed to find offense in that. I am sorry for it.

Mr. WILLIAMS. I did not call him a Missouri lawyer.

Mr. REED. Yes, you did; but that is all right. It would not be offensive to me.

Mr. WILLIAMS. You will find by the Record that I did not use the word Missouri at all.

Mr. REED. Oh, yes; but it is immaterial, Missouri and Mississippi both being a part of this great Union.

Mr. WILLIAMS. And both beginning with "M-i and a double s."

Mr. REED. Both of them are good States, and it is a credit to any man to come from either of them. What did this gentleman say?

Much can be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so ably proposed in his speech last week. A league of the more decent nations can be formed, having common ideals and based purely upon treaty and honor and a sense of moral responsibility,

and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper," but to have a league that will prevent war by force, that will coerce its members, is to create a supnation, which means the surrender or destruction of the independence and sovereignty of all its members.

Now, I hope that that is not very far from the doctrine in which the Senator believes. I can not believe that the Senator is prepared to indorse the doctrine of a league of nations in which this country shall bind itself to engage in the quarrels, the broils, and the battles that may hereafter arise in Europe, although our interests may be entirely separate from them. I would be interested to learn what the Senator's view is upon that important question.

Mr. WILLIAMS rose.

Mr. REED. I will be glad to yield to the Senator now if he desires me to do so.

Mr. WILLIAMS. No; I thought the Senator from Missouri had concluded. I will state to the Senator my view in a moment.

Mr. REED. Very well.

Mr. President, the Senator before the last war was one of the advocates of peace; he was a pacifist; it did honor to his heart. I will not say it did dishonor to his head. I should say nothing would do dishonor to his head, for he is known as one of the ablest men of our country; and I say that from the very outpourings of my heart. But the men who taught universal peace before this war were mistaken. That is all there is about it.

I have been a believer in the old doctrine of a small standing Army and a small Navy. After I got a little closer to the scene of action as a Member of this body I began to see the necessity of a larger Navy. I believe now, Mr. President, that if the United States had had a Navy three or four times as strong as she had Germany would never have dared enter upon her program of universal destruction of the commerce of the seas and would therefore have never warned us off the waters of the Atlantic Ocean. But whether that is true or is not true we need not pause to discuss.

The Senator from Mississippi frequently says, with that terse wittiness of which he is master, that "only fools refuse to change their minds." We all in this day and age of the world are changing our minds. I have made my mind up that I do not want to see another war ever fought; but if it does come I do not want the war to be over before the United States can put on the battle front a single battery of first-class cannon that was made in our own foundries. I do not want to see a situation again where the war is fought and over and still 12 months must elapse before our first-class ordnance can be ready for the field. I do not want to see another war fought with American troops sent into action not properly defended by shell fire.

I had rather, instead of paying interest on a war debt, employ some money to build works in which we can make cannon at reasonable prices in time of peace. I would make them and cord them up and have them ready, so that if any emergency should hereafter arise we shall have the guns to fight with. I am wicked enough, reactionary enough, barbaric enough, "Stone Age" enough, to actually believe that it is good common sense to have enough rifles with which to arm our men. We did not have them when we entered this war. We were forced to change our weapon. We were able to do that with reasonable speed because England had been at war and England had employed great factories here to make her rifles. They were, therefore, prepared on rather short notice to turn out a similar rifle; otherwise some of our men would have been drilling with broomsticks up to this hour.

I am absolutely wicked enough, Stone Age enough, to have arrived at the conclusion that if England retains her great fleet—and I think she will; I have no idea that England is going to surrender that fleet, though all the poets sing the sweetest songs that ever thrilled poetic souls, though orators may soar to heights above the clouds and cavort from star to star, still Great Britain will keep that fleet; mark what I tell you; every British man-of-war will still pursue its invincible course through the waters of the seas—if that is going to be, I want the United States of America to be in a position of safety. If Great Britain will stop building ships, why, then, the rest may do so. Whatever we may be able to do by mutual agreement as to disarmament, well and good; but that is not the thing of which my friend wrote in this letter. He wrote of a league of nations by which all or a part of the nations of the world should agree to stand together and crush the power of nations that stand against them and enforce the decrees that they may write. Against that he protested; against that I protest.

Let I forget it later on, let me say now, as I said a day or two ago in a speech here, we ought to rewrite international law. It can be done. That law should be codified; its loose precedents

should be gathered into form and crystallized into an agreed law of nations. Had we possessed a law providing in plain words what I believe the law to be, according to the best precedents, no nation would have the right to declare a blockade save of ports, and there the blockade must be maintained; but no nation should have the right to undertake the blockade of an entire sea, either by scattering mines or by a paper declaration. I believe that if that had been fairly written in the law, England would not have undertaken to blockade the North Sea; and I believe if England had not undertaken to blockade the North Sea some of the difficulties that followed later might never have come. But that again is arguing a question that is in the past and one which perhaps would better not be argued too fully just now.

But thus all of the great questions of international law that have caused trouble during this war, especially those involving the rights of belligerents and neutrals upon the high seas, ought to be written down in a code of laws. Then a nation guilty of violating that code of laws would at least be compelled to answer to the moral court of the world for a willful breach of national faith.

While that itself will not guarantee us, still the ignominy which has fallen upon Germany for treating her agreements as scraps of paper would, to a large extent, tend to discourage breaches of the law agreed upon in the manner I have indicated. So there may be by common consent agreements made limiting the arms and armaments of nations. If that can be done, I am most heartily in accord with it, and I have always been. That might be accomplished, because it is reasonable. For, observe, if two men are antagonists and each of them is carrying two or three pistols as he hunts his enemy, if each shall then agree to lay down one or two of his weapons and each, in fact, shall carry out the agreement, he is comparatively as strong as he was before. Therefore that might be accomplished.

But the doctrine I am assailing and the doctrine that my friend assails in this letter is that there shall be an agreement effected between certain of the nations which shall lay down the rules of conduct for themselves and others, and that if any astute nation shall violate the rules, or if any member violates them, then that this coalition of nations will use their joint power to coerce and conquer the offender.

It may be said that is not the doctrine of the league of nations. I admit it is pretty hard to get out of all these visions that have been floating around here just what any of them mean. There was a full-page article printed in one of the papers the other day—an advertisement which was printed in many of the papers—advocating some of these doctrines. Some of the statesmen of Europe have been advocating doctrines; some of the statesmen of the United States have been advocating other doctrines. It is hard to get at what each may have in mind. Yet we may, perhaps, arrive at some general deduction.

Broadly speaking, a league of nations which goes no further than to agree that certain things are proper and certain things are improper will meet with no opposition from anybody, but a league of nations that proposes to enforce its views upon others and that binds us to contribute to it, that puts us into controversies and broils and battles and wars of Europe is another proposition, and is one that I believe the people of this country will utterly repudiate.

Mr. President, why should they not repudiate it? It is contrary to every tradition of our country. We were warned against it by Washington, Jefferson, Madison, Jackson, and all the host of men who laid the foundations and built the early structure of this Government.

If we go into an arrangement such as I am speaking of, what shall be its limitations? What nations shall be admitted? In a speech by an English statesman the other day, as I recollect it, he suggested that this league should begin with the allied nations. What is it the allies on the other side of the water are going to guarantee for the benefit of America? Are they going to guarantee us against attack? From whom do we fear attack? Are they going to protect us? From whom will they protect us? I know of no nation on earth, save one of the allies, that could harm us to-day.

The only nation that flies a flag that can seriously harm America to-day is England, and nobody anticipates trouble with England. If we did anticipate it, we would hardly be making an alliance with England to protect us against herself.

What are we to get on this side of the water from this alliance? I am speaking now in a selfish way, it is true, but it is an element of selfishness that has common sense back of it. I repeat, there is no nation save Great Britain that can land a soldier on our soil and maintain him there for 30 days; and I do not think he can land, and I am in favor of fixing it so that

he can not land even for 30 minutes. If we have to have more cannon and more ships, let us build them. We are spending enough money out here in front of this Capitol now on war workers' dormitories, that never will be occupied and still are going on to completion, to build one or two good battleships.

We pay out more money for moving pictures every year than would build a fleet of vessels. I am not an advocate of great navies unless we have to have them. I repeat, and I still repeat, what protection will we get from such an alliance?

Oh, it may be said, we will have trade abroad. Well, that is not a thing of such gravity as calls upon us to engage in all the wars of Europe.

But upon what a sea of trouble are we asked to embark? Senators, turn to the pages of your histories and ask yourselves why it is that for 2,000 years and more each war in Europe has been succeeded by another war. Many causes may be assigned, but away down deep under them all is race hatred and race ambition. Conquering hordes have time after time swept over Europe. They have crushed with brutal strength the native populations. The native populations have for years, sometimes for centuries, lain prostrate, hating and still hating their oppressors, waiting, waiting, for an opportunity to rise and strike for vengeance and liberty.

Time after time they have risen and driven them out only to find them returning. Sometimes they have held them back. In that case two races hating each other are face to face. The hatred may be wrong; it may be wicked; but you can no more eradicate it by a league of nations than you can wipe out the prejudice between the blacks and the whites in the South by passing a resolution in a New England sewing society. That may furnish the occasion for a dissertation to the effect that there is no prejudice; but, sirs, there is a prejudice.

Do you think that you can mix these alien peoples of Europe and of Asia and make them love each other by having a half dozen gentlemen of great distinction meet at The Hague or at Versailles and sign a paper? I tell you the Roumanian will remember the ravishment of his women and the murder of his old men a thousand years from now and hate the Hun as men hate who have suffered wrongs so great they can not find a voice.

Do you think that France will forgive the Hun in a thousand years? Will the Frenchman remember his women? Will he fail to remember how they were taken for medical examination before they were taken for ravishment? A thousand years from now will Belgium have forgotten the night of her horror? Will she ever cease to witness the burning of her cities, the defilement of her virgins, the massacre of her old men and old women? Will you make them love their oppressors and lie down in sweet serenity in a bed of peace, embracing with the tenderness of lovers? Will you make the Armenian love the Turk? Why, sirs, a million five hundred thousand new dead lie rotting in the ground—babes, little toddling babes, their brains dashed out before the mothers' frantic eyes, the fathers' maddened gaze; girls bound and borne off in brutal savagery to make a bed of lust for fiends incarnate, for such creatures as Moore describes:

One who could pause and kneel unshod
In the warm blood that his hand had poured
And mutter o'er some text of God
Engraven on his reeking sword.

Will you make the Armenian love the Turk?

What is to be the nature of this league of nations? If it be an agreement between Christian and enlightened nations to observe just rules of conduct toward each other, trusting to their honor and integrity as nations and binding them as honor binds, then well and good; hats off, and all acclaim to such a thing as that; but, if I understand the league of nations, that is not its scope. It is to bind the signatories thereto to employ force to compel obedience. If we so bind ourselves, then when Turkey and Armenia come to clash we must send our troops there. If the Serbians and the Russians come to a clash again, our troops must cross the seas. If England and France hereafter, breaking asunder the bonds of love that bind them now, shall go to fighting, then are we again to be bound to send our sons across the sea? Shall we each time there is a broil in Europe summon our troops, impose the draft, demand the first born and the youngest of the family, and once more send an endless stream of courage and heroism, but still of flesh and blood, across the distant seas to fight in foreign lands over quarrels between races that do not speak our tongue and whose rights and wrongs we do not understand?

It may be wicked, it may be the very acme of brutality, but I protest that if this great country of ours but knows its mission it will stay here within its seagirt shores, protect itself, retain its independence, suffering no single diminution of its sovereignty by agreements with other powers, making only that

character of agreement I have so often referred to, and that it will seek to continue as the great guiding influence upon the Western Hemisphere; that we shall bind to us by ties of commerce and of love those great and virgin countries that lie to our south; that we shall seek to direct the energies of our people and the energies of their people to an honest interchange of products; that we shall make the Monroe doctrine an inviolable doctrine of nations; and that we shall seek always and at all times, by kindly counsel and by generous aid, to help to maintain the peace and the happiness of this world.

Mr. President, I have made these purely extemporaneous remarks because I thought there was nothing in the letter I had read from my friend to call for any castigation of him by the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I hate to take up the time of the Senate this late in the afternoon. It is right difficult to reply to the Senator from Missouri, because one has to wait so long to begin the reply.

The Senator from Missouri has skillfully avoided and evaded the issue. The issue was the sentence in the letter which he read calling all men fools who dreamt of a permanent and just peace. Nobody was quarreling with a great deal of the other things that the Senator from Missouri said, and nobody was quarreling with the other part of the letter that this lawyer wrote.

The upshot of all that the Senator from Missouri has said is this, that if he is to have his way we are to go back to just where we were before this war started and all the nations of the world are to be armed camps, watching and suspecting one another all the time, ready to move for purposes of aggression and ready to move for fear that others may move for purposes of aggression. Are you going to put up with that? Do you stand here and tell me that that is unavoidable? Do you tell me that the common sense and common conscience and civilization and enlightenment of the world can not avoid it?

Who was talking about trying to make the Belgians love the Germans that raped their women? I was not. Who was talking about trying to make Armenians love Turks? I was not. Nobody imagines that they can do it. But what we are trying to do is to fix the status of things so that Prussians shall no more ravish Belgian women and so that Turks no more shall drive into the desert the women and children of Armenia while they take prisoner, subject to their lust, such of the women as they choose.

The Senator has, with the usual skillfulness of an adroit lawyer, attempted to shift the issue, and has attempted to put me in the position of defending the very thing that I do not defend and of attacking the very thing that I do not want to attack. Are you going to confess that what has recently happened can not be avoided for all the future to come; that junkers and barbarians are to continue, whenever they choose, to tear up treaties as "scraps of paper," and rape women whenever they please? If so, then the Senator's speech has been successful, because it seems that he thinks that that can not be avoided. I think it can, and I think that the common sense and common conscience of the common man, welded in and devoted to democracy throughout the world, can and will avoid it for the future.

Mr. President, if I believed, as the Senator seems to believe, that ever again this disgraceful spectacle could come upon the world's arena, to be witnessed helplessly by humanity, then I would cease to believe in God, and I would cease to believe in the common reason and the common sense and the common conscience of men, His creatures.

The Senator tells me "it may be very wicked but it is inevitable." Why, when 15 or more pioneers went into Missouri or into Mississippi in the early days, the very first thing they did was to form a league of individuals, just like the only league of nations I want. They said, "We have no government, we have no sheriff, we have no clerk, we have no law that binds us, but the man who steals a horse or kills one of us we will hang." So they formed a league of individuals without any court. Every pioneer that settled any part of America went into it with other pioneers with common sense and common conscience and his judgment that said: "We must have law, we must have order, we must have justice, we must have righteousness, and we will have it if we have to hang the fellow that interferes with it." Now, that is what we are going to say, through a league of nations, to Germany or anybody else.

Mr. REED. Mr. President—

Mr. WILLIAMS. One minute. We are simply going to say that hereafter, by the grace of God and by our own might, conjoined and not disunited, that "any civilized country, or country pretending to be civilized, that dares to make war upon another without either consenting to arbitration when it is offered or offering arbitration upon its own part shall become the common

enemy of mankind," and we will deal with it like the early pioneers in Missouri dealt with a horse thief or a murderer, that is all.

Now I yield to the Senator.

Mr. REED. Of course there is nothing to be gained by the Senator or myself discussing moot questions. I was about to ask the Senator to define what he meant—what he thinks ought to be the objects of this league of nations and the reciprocal obligations.

Mr. WILLIAMS. Just precisely what was the object of the first 25 men that ever met in Albermarle County, Va., when it was upon the frontier. That was to agree that there should be peace and law and honor and justice and righteousness, and if anybody interfered with it they were going to be put outside of the pale of the law and be treated accordingly.

Mr. REED. And punish them, if necessary, by force?

Mr. WILLIAMS. And punish them, if necessary; yes.

Mr. REED. Now, will the Senator yield, just so that I may understand him? That is all.

Mr. WILLIAMS. Yes.

Mr. REED. I am not asking this in a controversial vein.

Mr. WILLIAMS. Ask your question. I yield for a question.

Mr. REED. I am going to ask it. Does the Senator believe that we ought to agree with one or more or all of the nations of Europe, so that in case some nation in Europe did not obey the regulations of this league we would become a party to helping conquer that nation?

Mr. WILLIAMS. Mr. President, the Senator speaks of "the regulations" of this league. I have said nothing about the regulations of this league, and I have not said that they would make any regulations, except one plain proposition, and that is to spread abroad and proclaim the ukase, if you choose to call it so, that no civilized nation shall dare make war upon another without either offering or accepting fair arbitration. Now, that is the only regulation necessary. If they refuse to abide by that, then I say unhesitatingly that the civilized world ought to declare them the enemy of mankind and of civilization; cut them off from traffic and travel upon the high seas; cut them off from all other traffic and travel, as far as you can, and from raw materials of industry; and, if necessary, send my boys, yes, to whip them into order.

Mr. REED. That is what I wanted to know.

Mr. WILLIAMS. Why, what happens in ordinary society? Why is it that the Senator from Missouri does not load himself up to kill me when we have a difficulty?

Mr. REED. Because I would not do it under any circumstances.

Mr. WILLIAMS. Well, I say, but why do you not if you are mad enough?

Mr. REED. The Senator does not mean that I am mad, of course.

Mr. WILLIAMS. It is not because you are too good to do it, or that I am, if we get mad enough, but it is because you know the force that is behind the constable and the sheriff. [Laughter.]

Mr. REED. Mr. President, of course, in the case of a timid man like myself that might be true; but as for a valiant soul like the Senator from Mississippi, I know that if he wanted to shoot a man he would not hesitate on account of the sheriff. [Laughter.]

Mr. WILLIAMS. I am arguing seriously. What keeps the world in order? What keeps all of you in order? What makes you carry your controversies to the court instead of settling them with pistol or knife is the fact that the court has force behind it, and what actually occurs is this: In not one case in ten thousand does the court ever have to show its force. Your mere consciousness of the fact that the force is behind the court keeps you in order, keeps the Senator from Missouri in order, keeps me in order, and keeps a whole lot of other people in order. He and I have seen the time when we would have liked to kill a fellow that made us mad enough, but we have been educated to believe that we ought not to do it. We have been educated to believe that society had a right to settle our controversy and that we had no right to settle it for ourselves.

The Senator a moment ago said that it "might be wicked, but even the city of Washington had to have police," and every city has to have them. Yes; but every man in Washington is not his own policeman, is he? All the people in Washington together select a police, and they police; but if you left each man to be his own policeman and go out and arm himself cap-a-pie to fight the balance of the world and put a chip on the top of his head and dare you to knock it off, what sort of civilization would you have?

The whole truth is, the world has one more step to make. Long ago individuals agreed that it was better to suffer a little

wrong now and then than it was to let each man be his own judge and his own executioner, and the nations of the world have to learn the same thing. Civilization will never be transmitted into enlightenment until they do, and it is not necessary to have any long list of regulations. You need only one principle; that principle is simply to say: "Before you dare go to war you must submit to the national arena, some fair arbitrament of your own choice and of your antagonist's choice, or, if you choose, some court selected beforehand by all nations of the civilized world the question in controversy." If you do not submit it, or if somebody offers to submit it to you and you do not agree to it, then you shall become like any outlaw in the United States or the District of Columbia becomes when he declines to leave the cause in controversy to the courts and undertakes to settle it for himself.

Mr. REED. Mr. President—

Mr. WILLIAMS. I want to get through.

Mr. REED. On the point, of course I suppose the Senator means to include in the proposition that the question must be submitted the further thought that the decision, when made, must be obeyed.

Mr. WILLIAMS. Certainly.

Mr. REED. Then the Senator proposes that if our country has a controversy with any nation, before it can defend itself by force it must submit to the decision of some tribunal.

Mr. WILLIAMS. Absolutely.

Mr. REED. Who is to select that tribunal?

Mr. WILLIAMS. I understand the Senator's question. The Senator a moment ago, in his own speech, answered his own question. He said there never was any obligation without reciprocal obligations. If we enter into an agreement whereby Turkey and Germany must be made to behave themselves before an international tribunal, then we also must agree that we shall behave ourselves, and there must be a tribunal organized that is fair enough, or we can select arbitrators and they can select umpires, and we must abide by the decision. It is no disgrace, if I have quarreled with you, for me to abide by the decision of the court.

Mr. REED. Will the Senator yield for another question?

Mr. WILLIAMS. I will.

Mr. REED. Would the Senator be willing to submit the Monroe doctrine to an international court the majority of which of necessity would be composed of Europeans?

Mr. WILLIAMS. Mr. President, if what I hope to see is consummated, the Monroe doctrine, like a great many other things, will cease to be at all, because there will take its place a Monroe doctrine of the entire world, and a Monroe doctrine merely confined to the Western Hemisphere will cease to exist; there will be a Monroe doctrine for the world. When you undertake to say that there shall be no war unless after arbitrament, that applies to the Western Hemisphere as well as to everybody else; and when the Senator asks that question there is in his mind the idea that while we are willing to subject Europe and Asia and Africa to a sort of league of nations, we are not willing to subject America to it.

Mr. REED. The Senator—

Mr. WILLIAMS. I want to get through, but still I will answer another question.

Mr. REED. I beg the Senator's pardon; just this one:

The Senator states that he hopes to see the Monroe doctrine abrogated, or its place taken—

Mr. WILLIAMS. By a universal world Monroe doctrine.

Mr. REED. He hopes to see substituted for it a universal world Monroe doctrine. I will not stop to discuss that; but this is the question:

Suppose, notwithstanding the setting up of this universal world Monroe doctrine, some nation should actually cross the ocean and break the Monroe doctrine upon this side—

Mr. WILLIAMS. I am ready to answer that question.

Mr. REED. And suppose that an international court had been set up to which that question was to be submitted; and suppose the majority of that international court was composed of the representatives of European governments, as it would be.

Mr. WILLIAMS. I can not suppose that.

Mr. REED. It is necessary to suppose it.

Mr. WILLIAMS. It is not necessary to suppose it.

Mr. REED. Or else it is necessary to suppose that European governments are going to—

Mr. WILLIAMS. We would select arbitrators, and the other country having controversy with us would select arbitrators, and they would select an umpire.

Mr. REED. Suppose you could not agree on arbitrators.

Mr. WILLIAMS. Well, we would agree; the world and humanity would make us agree.

Mr. REED. But you would not agree in a case of that kind—that is exactly the point—unless you had a permanent court.

Mr. WILLIAMS. Now, let the Senator ask the question.

Mr. REED. Would the Senator be willing to submit that question to any court?

Mr. WILLIAMS. Mr. President, if any nation in the world undertook to invade Central or South America and to defy the Monroe doctrine it would become our duty, if this scheme goes through, to leave to arbitration not the Monroe doctrine but the question in controversy, whatever it was. You can not leave the Monroe doctrine to arbitration.

Mr. REED. No; you leave the invasion.

Mr. WILLIAMS. But you would have to leave to arbitration the question in controversy, which, in our opinion, involves the Monroe doctrine. We would propose it; and if the other nation did not agree to it then we would have behind us Great Britain and her colonies and France and Italy and Belgium and Roumania, if my idea shall be consummated, to whip that nation into agreeing to arbitration. Now, if they did agree to arbitration and we went to it and the arbitrators decided against us, then we ought to submit. No man has a right to speculate on the court. No man has a right to agree to leave a thing to arbitration with the back thought that he will obey the decision provided it is his way and he will violate it if it is not. That goes without saying, if we are honest men.

I noticed another thing about the Senator's speech. He could not keep from betraying the fact that back of it all was either a hatred or a fear of Great Britain. He spoke very contemptuously of "the blockade of the North Sea." If it had not been for the blockade of the North Sea, we would have been whipped to-day; Germany would have been successful.

Mr. REED. The Senator misunderstood me.

Mr. WILLIAMS. No; the Senator said: "From whom do we fear attack, unless it is from Great Britain herself?"

Mr. REED. Oh, well, Mr. President, I did not use the phrase in that way. I do not want the Senator, at this period of the international situation, to intimate that I said that we fear attack from Great Britain.

Mr. WILLIAMS. I did not say you did. You said: "From whom can we have a fear of attack except from Great Britain herself?"

Mr. REED. Oh, no. Let me get the Senator right, because, while I care nothing about the matter of controversy—

Mr. WILLIAMS. I wish the Senator would let me make, in an orderly way, the few remarks I have to make. If I am wrong, the Record will show it. That was my recollection of what the Senator said; and if I am wrong, the Record will show it.

Mr. REED. Let me make the statement. It will take but a second.

The thought I sought to express was that there was but one nation in the world that could injure us, and I said that it was unthinkable that she would attempt it; but there was only one that could, and that was Great Britain. That is very different from saying that I feared attack from her.

Mr. WILLIAMS. I understand; yes. The innuendo was there, however.

Mr. REED. Well, all right.

Mr. WILLIAMS. Now, Great Britain has had command of the seas for over a hundred years, and with the exception of ourselves she is the most peace-loving nation in the world. There is no reason why we shall not have command of the seas in another 20 years if we choose. We have the resources, we have the money, and nobody can object to our building the ships. The Senator has undertaken to make it rather appear as if I did not want any Navy. He did not say so, but he argued against a man of straw, and he was answering me. It looks as if that was the impression that he meant to leave.

I want the English-speaking race to control the seas of the world, and I want them to do it not because they are the English-speaking race or my race, but because they are the only two branches of any race in the world who love peace and who will fight for peace. We will both do it, and I think we are a little bit better tempered to do it than the English, even. We love peace more than the English, even. Our passion is peace.

So I have no idea that England is going to surrender the control of the seas. There is only one thing that could make England surrender the control of the seas, and that would be an absolute reliance on the fact that we had control of the seas; and if we had it she might be willing to surrender it, because she would know that we were never going to use the control of the seas for the purpose of waging a war of aggression or of starvation upon her. She is bound to keep control of the seas as far as the Continent of Europe is concerned. If she allowed the Continent to have control of the seas, she would be starved in eight weeks; and you do not expect her to surrender the control except upon the one condition that we get it and can hold it. In that event both of us would have it and keep it

with a common peace purpose. If so, we will hold it as trustees for her, just as her fleet held the seas as trustees for us during this war. If it had not been for the fact that she had control of the seas, if it had not been for the English fleet, we would have had a pretty hard time. We could not have got the men over. We would have had to wait here until these pacifists and front-door fellows had been satisfied—the fellows that wanted us to stay in our yard until the enemy got in through the gate, and for God's sake not to go outside and meet him in the street. If he had got as far as the front yard, we would have been gone. That would have been the end of us for a while, at any rate.

Mr. President, this war has been fought in vain, the blood of our sons has been shed unavailingly, our treasure has been poured out like water for nothing, if at the end of this war some other autocracy, some other junkerthum, some other despotism, can perpetrate the outrage which Germany perpetrated when she invaded Belgium and which Austria perpetrated when she sent the ultimatum to Serbia.

The Senator goes on and talks about what a vain dream it is "that the lion and the lamb shall lie down together." Of course, it is a vain dream that the lion should willingly lie down; but in every civilized country in the world the lion has been controlled so that he either had to lie down or get out of the country, and that is what we are going to do with the lion in this case. He has either got to lie down or he has got to get out and go into the desert. Christ said that He did not come "to bring peace to the world but a sword"; and what He meant is just what I am talking about—that as far as the unrighteous are concerned, and the wicked, and the barbaric, and the men who believe in war, and who believe that war is the only way to carry on the world, they must either lie down in peace and make out like they are lambs, or they must be killed, or they must take to the desert.

The Senator speaks of "this workaday world." Why, the world that we have been fooling with for four years is not a workaday world. It is a murder-a-day world. It is a murder-a-second world. We do not want any more of it. Nobody is trying to control the world by moral suasion. Every word that I have said shows that I want behind the agreement of the nations that enter into this agreement something besides moral suasion. I want the force of each nation by its solemn plighted word, or I want, at any rate, enough appearance of force to make the wicked and barbarous peoples think that the force is there, and therefore fear to defy it.

The Senator says very truly that thus far we have not come to that sort of thing. No; we have not. Up to a few years ago—not many years as the world goes—somebody might have risen and said that "so far we had not come to the point where men were willing to leave their controversies to the courts." A man might very well then have been justified in believing that humanity would never reach the stage of perfection where it would agree to that.

I believe, Mr. President, with Thomas Jefferson, not in the perfection of humanity but in its "indefinite perfectability." You may tell me this, that, or the other desirable thing can not be done because of human nature, but my answer is that all you have got to do is to change your own human nature and use your own influence to change other people's human nature until there shall be a revolution in human nature that will suit new conditions.

Of course, you can never have justice and peace and righteousness on the earth as long as men get up and say it is impossible to have it, or as long as the majority of men say it, because until you get a majority of common sense and common conscience of the common people together on a proposition the minority is helpless. It is a psychological problem after all. All you have got to do is to have enough people *will* to have it, and then you will have it. If the Senator and I were about to engage in a controversy in which we had made up our minds to kill one another, and somebody would have me will not to kill him, half of the controversy would have disappeared, and if somebody would have him will not to kill me all of it would have been gone.

Mr. President, I understand that this is a sort of a question that ought not to be very much a matter of controversy but of mutual debate; it ought to be a matter of cool consideration in a mood that neither the Senator from Missouri nor I are experts, and that is a prayerful mood. He and I do have prayerful moods, I do not doubt, at times, notwithstanding the fact that we make no preaching of anything of that description.

It would be a sad thing to believe, it would be an awful thing to think, that humanity was absolutely chained and bound and helpless, and that this carnival of crime and barbarity and

atrocities that we have just witnessed should be permitted to occur again. I remember that the British Army went into an action with the cry on their lips, "Never again"—fighting in order that that sort of thing should never again be necessary. You do not want it, I do not want it, nobody really wants it. Then, if we do not want it hard enough and strong enough and earnest enough it will not happen, and if there is somebody such a barbarian that he wants to have it, that he wants to carry it on, just say to him, "As much as we hate bloodshed your blood is the penalty." Kill him; yes, kill him like a mad dog. Kill him because he is a mad dog. Kill him because there is no other way to deal with him. Kill him in the name of peace, and kill him in the name of the Prince of Peace. Put force behind your league or your alliance or your agreement or whatever you call it. Put behind it also the willingness that when fair arbitrators decide against you you will submit, and when fair arbitrators decide against the other fellow you are going to make him submit.

Mr. REED. Mr. President, I think I could have done the Senate no greater service than when I offered this letter. It has been the occasion of clearing up, at least so far as the distinguished Senator from Mississippi is concerned and so far as I am concerned, a question that ought to be made plain, namely, what the proposal of those who bring forward the league of nations really is. The Senator from Mississippi has frankly stated that the proposition is to create a league of nations to enforce peace; that this league of nations is to provide, among other things, that no country or people shall go to war on any account until it has first submitted its contentions to arbitration or to a court—

Mr. WILLIAMS. Or offered to.

Mr. REED. Or offered to, and that the decision of that court when rendered must be obeyed, and if it is not obeyed then the force of the entire league will be used against the nation which fails to obey. Baldly stated, it is then proposed by the advocates of the league of nations that the United States shall agree to submit every controversy, however vital to the life of the Republic, to a court, and that it shall obey the mandate of that court upon peril of being conquered by an international army which it has helped to create and to which it has contributed men and money—

Mr. WILLIAMS. If the Senator will pardon me a minute, I said nothing about an international army.

Mr. REED. You plainly spoke of an international force.

Mr. WILLIAMS. Each country signing the treaty is to proceed to enforce its own agreement.

Mr. REED. Very well; in the aggregate that constitutes an international force or army.

Mr. WILLIAMS. I would not have an international army with a supination. I agree with you about that.

Mr. REED. An international force is then to be created which when gathered shall crush this Nation for failure to obey the court's decree—that is the proposition as now modified.

Mr. President, an international court, as I showed the other day, would necessarily be composed of the representatives of the different nations of the earth. In order to be international it would necessarily have upon it the representatives of all the European nations. The European nations, as Washington said, have many interests in common and those common interests may all unite or exist in common against us.

Mr. WILLIAMS. If the Senator will pardon me, I said nothing about an international court. I said "arbitration." Ordinarily when arbitrators are to be selected one of the parties in the controversy selects a part, the other another part, and the several select an umpire.

Mr. REED. Mr. President, the term "court" was used not only by the Senator but it is in common use by the champions of the league. I am, however, willing to discuss both phases—decision by a court and decision by arbitration. Let me proceed with the court theory first. The court must be composed, as I have said, necessarily of representatives of European nations as well as our own. The European nations, as Washington warned us, I repeat, have interests peculiar to themselves, which may be common against us. Imagine, therefore, a controversy involving such a question. What would be our state if we were obliged to submit it to a court made up in the whole or in a substantial part from those having an interest against us?

Suppose, for instance, that a European nation should undertake the exploitation of a South American State, and the question should arise whether either the Monroe doctrine or the doctrine of the league of nations was being violated. Suppose we were obliged to submit that question to an international court. Is it not easy to see how the nations of Europe having representatives on this court might have a common interest

against the United States? And we would be compelled to submit this doctrine, so vital to our sovereignty and interest, to a court packed against us.

But the Senator abandons the idea of a court and takes refuge in a board or tribunal of arbitration. Really there is a distinction without much difference. By whatever name the tribunal is called, if it has the power of final decision it performs the office of a court. If it be permanent it is a permanent court. If it be temporary it is a temporary court. Mr. President, any league that proposes a tribunal of arbitration and does not name the arbitrators in advance leaves the situation so that in case of emergency incalculable damage might happen before an arbitration court could be selected and convened. Hence it would seem that the arbitrators must be agreed upon in advance. Thus we have in fact a court called by the name of a board of arbitrators. Who, now, are to constitute these arbitrators? Manifestly we could not ask to control. Manifestly some of them would be selected by our enemy. Manifestly the enemy might prevail and by strength or fortune get a majority prejudiced by interest or ties of blood in his favor. In that event the United States is obliged, nevertheless, to go to decision upon a vital matter before a board of arbitration a majority of which is against us from the first. These are the things we are asked to submit to, and if we do not submit to the decision, though it is vital to us, though it involves our national life, we are to be then crushed by a concert of nations that have a force already created for their express purpose.

Mr. President, put that to the American people. Submit to the American voter whether he will ever turn over the vital interests of this Nation to a tribunal a majority of which may be composed of foreigners and even of our enemies. Ask him for his answer. You will receive it in no uncertain terms, for the American people have some common sense left, even if some other people have not.

The distinguished Senator said another thing that conclusively proves he does not believe the doctrine he so vehemently preaches. Let us see what is this doctrine. He would have universal peace. He would have it by virtue of a league of nations. Yet, sir, he says that England must never surrender her sovereignty of the seas unless she surrenders it to us. In other words, this scheme of universal peace demands first, last, and all the time an invincible navy that can command the waters of every sea, and this navy must be that of our friend, England, or it must be our own. So we are only to have a league of universal peace upon condition that the rest of the world agrees that England and the United States, one or both, shall be able to lick every other nation. That is the dream of universal peace and "parliament of man" we are scolded for not accepting.

Mr. President, a little common sense applied to that and I believe we can arrive at the conclusion that the Senator's premise of a great navy for England that will command the seas destroys the very thought of a league of nations. Why? Let us follow it. Suppose that every nation in the world was to be disarmed to-morrow, but that England was to retain her great fleet commanding the seas. England would then command the world and stand "astride it like a colossus," and all the other nations, like little things, could crawl in and out between England's great legs.

I do not say this out of unkindness to England. How can you talk about giving England the supremacy of the sea without at the same time conceding to her supremacy upon the land, provided you insist that the other nations shall disarm upon land? When you have conceded England's supremacy upon the seas and all the other nations of the world then remain helpless upon the land they will be in a condition where they can be at once overwhelmed, where England can bring her troops from every quarter of the globe and all her allies from every clime and hurl them upon a nation standing defenseless. Few of the nations will be so foolish as to agree to that.

I do not say this out of unkindness for England. I anticipate no trouble with Great Britain. Proud I am that my blood comes from the Scotch and Irish part of Great Britain. I am no twister of the British lion's tail, but I know when we assemble around the council table the statesmen of the world they will be as jealous of England as England will be of them. I know that you can not ask that England shall retain dominion of the seas and they shall all lay down their arms upon the land. If you do ask it you will be laughed at.

So the Senator does not believe in his own doctrine. I will tell you the kind of a league of nations he believes in. His league of nations is something that suits his own ideas. It is the union of the English-speaking folk wherein England and America will dominate and all the rest of the world will obey,

and if they do not obey, then the treatment is—I quote the Senator—to "kill them like mad dogs, and kill, and kill, and kill, even in the name of the Prince of Peace." That will be a very sacrilegious thing to do, to kill in the name of the Holy Christ. It is true, the Emperor William did that.

Now, the whole truth is that the controversies of nations have many of them been in the best of faith. Two nations each believing the other was wrong have gone to war. Such cases have made the great majority of controversies that have brought on modern wars. Each has thought the other wrong, each has thought itself right.

So when you form your league of nations the dominant nations will think they are right about certain things and that the other nations are wrong, and will insist that the other nations shall obey, and if they do not, then they are likely to adopt the doctrine of the distinguished Senator from Mississippi and "kill, and kill, and kill." So the Senator is back in the slaughterhouse of the ages, with his league of nations and all his talk of peace, as bloody as the Kaiser's Huns. You get nowhere by that sort of a tirade. You get nowhere by going around that circle, and you get nowhere by misrepresentation.

I said with great clearness, if I am capable of making a clear statement, that I believe the nations of the world could assemble around the council table and write a code of international law so clear that any nation that violated it would stand before the world as an outlaw, a moral outcast, a moral leper. Just as Germany stood before the world when she invaded Belgium. That is a great force in this world, not in any manner to be discounted or to be sneered at. I believe it is possible to agree to a partial disarmament of nations. But I do not believe in a league of nations that proposes to enforce the views of the majority or the decisions of any court upon any other nation, for that is the old Holy Alliance over again. One of these days before this debate is ended I propose to compare the Holy Alliance and the time in which it was formed with some of the circumstances and facts of this day.

Mr. President, I am glad we have had this discussion. We have at last had one frank avowal on this floor that men propose to submit the vital interests of the American people to a tribunal a majority of which may be and undoubtedly will be foreigners and enemies of this country. That doctrine baldly stated to the American people will be repudiated in every hamlet and village of America.

EXECUTIVE SESSION.

Mr. McKELLAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 5, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 4, 1918.

UNITED STATES SHIPPING BOARD.

Charles R. Page, of California, to be a member of the United States Shipping Board for a term of six years. (A reappointment.)

MISSISSIPPI RIVER COMMISSION.

Col. Curtis McDonald Townsend, Corps of Engineers, United States Army, for appointment as a member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," to which office he was appointed during the last recess of the Senate, vice Brig. Gen. William H. Bixby, Corps of Engineers, United States Army, retired, relieved.

COLLECTOR OF CUSTOMS.

James L. McGovern, of Bridgeport, Conn., to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Bertram Gardner, of Garden City, N. Y., to be collector of internal revenue for the first district of New York, to fill an existing vacancy.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John A. Shirley, of San Antonio, Tex., to be assistant chief inspector of locomotive boilers.

REGISTERS OF LAND OFFICES.

Henry P. Andrews, of California, to be register of the land office at Sacramento, Cal., his present term expiring December 28, 1918. (Reappointment.)

Robert W. Davis, of Florida, to be register of the land office at Gainesville, Fla. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Perry M. Colson, of Florida, to be receiver of public moneys at Gainesville, Fla. (Reappointment.)

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major general.

Lieut. Gen. Robert L. Bullard, United States Army, emergency.

To be brigadier generals.

Maj. Gen. George W. Read, United States Army, emergency.
Maj. Gen. Charles H. Muir, United States Army, emergency.
Maj. Gen. Charles T. Menoher, United States Army, emergency.

Maj. Gen. James W. McAndrew, United States Army, emergency.

Maj. Gen. William G. Haan, United States Army, emergency.
Maj. Gen. James G. Harbord, United States Army, emergency.
Maj. Gen. John L. Hines, United States Army, emergency.
Maj. Gen. Charles P. Summerall, United States Army, emergency.

MEDICAL CORPS.

To be brigadier generals.

Col. Walter D. McCaw, United States Army.

Maj. Gen. Robert E. Noble, United States Army, emergency.

DENTAL CORPS.

To be first lieutenants with rank from November 30, 1918.

First Lieut. David L. England.

First Lieut. Erwin F. Bence.

First Lieut. Harold D. Lacy.

First Lieut. Harold S. Whitney.

FIELD ARTILLERY ARM.

To be second lieutenant with rank from November 1, 1918.

Cadet George Brooke McReynolds.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be colonels.

Lieut. Col. Louis T. Hess, Medical Corps, from August 30, 1918.

Lieut. Col. Christopher C. Collins, Medical Corps, from October 30, 1918.

Lieut. Col. Benjamin J. Edger, jr., Medical Corps, from November 11, 1918.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Girard B. Troland, Corps of Engineers, from October 13, 1918.

First Lieut. Llewellyn M. Griffith, Corps of Engineers, from October 23, 1918.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Augustine J. Zerbee from August 10, 1918 (subject to examination required by law).

First Lieut. Frank A. Helleman from August 10, 1918.

First Lieut. Lauritz D. Simonson from August 27, 1918.

First Lieut. Carl R. Perkins from September 6, 1918 (subject to examination required by law).

First Lieut. Franklin W. Cheney from September 7, 1918 (subject to examination required by law).

First Lieut. George F. Wellage from September 12, 1918.

First Lieut. Alfred F. Biles, jr., from September 14, 1918 (subject to examination required by law).

First Lieut. Charles T. Hearin from September 29, 1918 (subject to examination required by law).

First Lieut. John F. Fredin, jr., from October 2, 1918 (subject to examination required by law).

First Lieut. James B. Wise, jr., from October 5, 1918 (subject to examination required by law).

First Lieut. Clarence M. Culp from October 5, 1918 (subject to examination required by law).

First Lieut. Robert D. Horton from October 5, 1918 (subject to examination required by law).

First Lieut. Charles B. Kehoe from October 5, 1918 (subject to examination required by law).

To be first lieutenants.

Second Lieut. Harrison B. Beavers, from July 27, 1918.

Second Lieut. Elbridge Colby, from July 27, 1918.

Second Lieut. Allan H. Snowden, from July 31, 1918.

Second Lieut. Herbert D. Gibson, from August 3, 1918.

Second Lieut. Goulding K. Wight, from August 10, 1918.

Second Lieut. Harry S. Wilbur, from August 21, 1918.

Second Lieut. Albert S. Johnson, from August 24, 1918.

Second Lieut. Clarence O. Black, from August 27, 1918.

Second Lieut. Paul B. Robinson, from September 6, 1918.

Second Lieut. William L. Coulter, from September 6, 1918.

Second Lieut. Glen E. McCarthey, from September 7, 1918.

Second Lieut. Joseph H. Hinwood, jr., from September 12, 1918.

Second Lieut. Russell F. Walthour, jr., from September 13, 1918.

Second Lieut. James C. De Long, from September 14, 1918.

Second Lieut. Joseph P. Lawlor, from September 18, 1918.

Second Lieut. Timothy A. Pedley, jr., from September 23, 1918.

Second Lieut. Charles N. Owen, from September 29, 1918.

Second Lieut. Charles R. Gideon, from September 30, 1918.

Second Lieut. Archie MacI. Palmer, from October 2, 1918.

Second Lieut. Jack B. Chadwick, from October 2, 1918.

Second Lieut. John R. Bair, from October 5, 1918.

Second Lieut. James S. Varnell, from October 5, 1918.

Second Lieut. Arthur F. Dahlberg, from October 5, 1918.

Second Lieut. Russell C. Chapman, from October 5, 1918.

Second Lieut. Edwin T. Bowden, from October 5, 1918.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Simon Medine, Corps of Engineers, from October 26, 1918.

To be first lieutenants.

Second Lieut. Roland Jens, Corps of Engineers, from August 20, 1918.

Second Lieut. William E. Thrasher, Corps of Engineers, from October 13, 1918.

Second Lieut. George W. Coffey, Corps of Engineers, from October 23, 1918.

Second Lieut. George O. Consoer, Corps of Engineers, from October 26, 1918.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Francis Fielding-Reid, Field Artillery, from October 8, 1918.

First Lieut. Harold H. Ristine, Field Artillery (subject to examination required by law), from October 19, 1918.

First Lieut. Oscar L. Gruhn, Field Artillery, from October 20, 1918.

To be first lieutenants.

Second Lieut. Dennis P. McCarthy, Field Artillery, from October 2, 1918.

Second Lieut. Albert Tate, Field Artillery, from October 8, 1918.

Second Lieut. Le Count H. Slocum, Field Artillery, from October 19, 1918.

Second Lieut. John H. Shelton, Field Artillery, from October 20, 1918.

COAST ARTILLERY CORPS.

To be first lieutenant.

Second Lieut. Charles S. Harris, Coast Artillery Corps, from October 18, 1918.

CAVALRY ARM.

To be first lieutenant.

Second Lieut. Gilbert X. Cheves, Cavalry, from October 15, 1918.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. LeRoy Lutes, Infantry, to be first lieutenant in the Coast Artillery Corps with rank from April 30, 1918.

INFANTRY ARM.

First Lieut. Richard B. Gayle, Coast Artillery Corps, to be first lieutenant in the Infantry Arm with rank from April 30, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Victor Blue to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear admiral, for a term of four years.

David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 13th day of December, 1918.

Capt. Henry A. Wiley to be a rear admiral in the Navy, for temporary service, from the 28th day of November, 1918.

Commander Richard D. White to be a captain in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. John L. V. Hill to be a lieutenant commander in the Navy, for temporary service, from the 26th day of October, 1918.

Lieut. William W. Meek to be a lieutenant commander in the Navy, for temporary service, from the 5th day of November, 1918.

Lieut. Justin McC. Miller to be a lieutenant commander in the Navy, for temporary service, from the 7th day of November, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 14th day of November, 1918:

Ellsworth Davis,
Harry R. Gellerstedt, and
Charles J. Parrish.

Lieut. Oliver L. Downes to be a lieutenant commander in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Thomas E. Flaherty to be a lieutenant in the Navy, for temporary service, from the 1st day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 10th day of October, 1918:

Charles W. Classen and
John B. Cooke.

Lieut. (Junior Grade) Allen R. Chandler to be a lieutenant in the Navy, for temporary service, from the 11th day of October, 1918.

Lieut. (Junior Grade) Maurice M. Rodgers to be a lieutenant in the Navy, for temporary service, from the 14th day of October, 1918.

Lieut. (Junior Grade) Frank Hannon to be a lieutenant in the Navy, for temporary service, from the 15th day of October, 1918.

Lieut. (Junior Grade) Harry F. Gray to be a lieutenant in the Navy, for temporary service, from the 26th day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of November, 1918:

Leonard W. Johnson,
John J. Arnaud, and
Walter C. Haight.

Lieut. (Junior Grade) Charles E. S. Lines to be a lieutenant in the Navy, for temporary service, from the 7th day of November, 1918.

Lieut. (Junior Grade) John Sharpe to be a lieutenant in the Navy, for temporary service, from the 10th day of November, 1918.

Lieut. (Junior Grade) James D. Rorabaugh to be a lieutenant in the Navy, for temporary service, from the 13th day of November, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 14th day of November, 1918:

Charles P. Porter,
Raymond S. Kaiser, and
Loar Mansbach.

Lieut. (Junior Grade) Milton E. Robison to be a lieutenant in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Daniel F. Mulvihill to be a lieutenant in the Navy, for temporary service, from the 15th day of August, 1918.

Ensign Peter J. Riley to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 5th day of November, 1918:

Charles L. Bristol, jr.,
Henry W. Reding, jr.,
Elmo H. Conley,

James I. Boyce,
Robert D. Longyear,
Alfred M. Gagneux,
Louis Etshokin,
Donald E. Montgomery,
John H. Fenton,
Ralph L. Colton,
Bruce Hoggson,
Herman Siefke, jr.,
Robert A. Skinner,
Henry A. Orrick, jr.,
Cecil L. Shockley,
Perry McK. Sturges,
John F. Kelsey,
Howard L. Seaton,
Samuel W. Morris,
Stuart L. Peck,
Harold M. Levy,
Donald McL. Day,
Ralph R. Brubaker,
Frank F. Walker,
Frederick S. Hodgman,
Robert C. McKeen,
Albert L. Baker,
Vergil A. Davison,
Charles D. Ingersoll,
Robert R. Titus,
Alexander A. Cameron,
Frank N. Bolton,
Harold M. Kennedy,
Perry A. Howard, jr.,
Francis P. Baeyertz,
Cushing Phillips,
Edward R. Simpson,
Irving B. Levi,
William R. Brent,
John F. O'Rourke, jr.,
Otis R. Marston,
Allan C. Davis,
Freeman L. Curtis,
Frederick N. Worth,
Harold Edwards,
Henry S. Bothfeld,
Carlisle C. McIvor,
Caspar W. B. Townsend,
Russell C. Lewis,
Robert E. Christy,
Ralph C. Taylor,
Leonard M. Starbuck,
Raymond W. Smith,
Hoyt M. Leisure, and
David H. Hammer.

The following-named warranted officers for temporary service, to be ensigns in the Navy, for temporary service, from the 1st day of December, 1918:

Charles H. Gordon,
Otto Fuhrmann,
Harry D. Leininger,
Patrick T. Ryan,
William J. Leidy,
Guy H. Overlock,
Thomas J. Eggleston,
Flavel F. Law,
Jasper I. Ward,
John Richardson,
Harry D. Collins,
James E. Dougherty,
Patrick J. Keough,
Caesar Cooper,
Herman Rühle,
Malcolm S. Brainerd,
Forest E. Frost, and
Frank M. Mugford.

The following-named enlisted men to be ensigns in the Navy for temporary service, from the 1st day of December, 1918:

David L. Walters,
John E. Canoose,
Harry C. Francis,
Theron S. Hare,
David Porter,
Emory M. Sindledacker,
Albert A. Webb,
Sidney J. Brawner,
Chester A. Johnson,

Rudolph Oeser,
Mack Q. Wright,
Daniel L. Ertel,
Elmer Bergstrom,
Walter A. Seymour,
George A. Spedden, and
Milford McQuilkin.

Paymaster Elwood A. Cobey to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 5th day of November, 1918.

Pay Clerk Joseph Simon to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918:

Letcher Pittman,
Thomas T. Taylor,
Crawford T. Folsom,
Robert H. Wither,
Guy B. Falconer,
John E. Bonwell,
Walter S. Rockwell,
Frank Humbeutel,
Charles A. Young, and
Cheyney S. Evans.

The following-named carpenters to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

Armand Mayville,
Joseph M. Kiernan,
William W. Hastings,
Frederick A. Johnson,
Joseph Emms, and
William R. Bagger.

The following-named assistant naval constructors of the United States Naval Reserve Force to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

W. Ogden Johnson and
Noah W. Gokey.

The following-named citizens to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

James B. Welch,
Roy E. Brown,
Leopold R. Hussa,
Roland G. Mayer,
Joseph E. Roy,
Frank L. Butterworth,
William H. Balls,
Donald G. Maxson,
Emerson R. Bouvier,
George V. Whittle,
Anton Kauffman,
George W. Henderson,
Gerald W. Thomson,
Kenneth Reid, and
Roland P. Carr.

Chief Boatswain Michael J. J. Farley (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 1st day of July, 1918.

Chief Machinist Daniel Mullan (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 11th day of September, 1918.

Pay Clerk Roland W. Bell (retired) to be an assistant paymaster on the retired list of the Navy, with the rank of lieutenant, for temporary service, from the 1st day of July, 1918.

Acting Pay Clerk Albert H. Gerbig to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918.

Paymaster John M. Hancock to be a pay inspector in the Navy, with the rank of commander, from the 11th day of January, 1918.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 5th day of June, 1918:

Frederick W. Pennoyer, jr.,
Melville W. Powers,
Charles F. Osborn,
Claude O. Kell,
Howard L. Vickery, and
Glenn H. Easton.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 23d day of September, 1918:

Russell S. Hitchcock,
Sidney E. Dudley,
Edmund E. Brady, jr.,
Theodore L. Shumacher,
Forrest P. Sherman,
Henry A. Hutchins, jr.,
Arthur C. Miles,
Harold M. Horne,
Andrew I. McKee,
Douglas W. Coe,
Joseph W. Fowler, and
John D. Crecca.

The following-named lieutenants on the retired list to be lieutenant commanders on the retired list of the Navy, from the 1st day of July, 1918:

William G. Hannum,
George W. Danforth, and
Edison E. Scranton.

Lieut. Frederick W. Milner (retired) to be a lieutenant commander on the retired list of the Navy from the 27th day of September, 1918.

Lieut. (Junior Grade) Eugene D. McCormick (retired) to be a lieutenant on the retired list of the Navy from the 26th day of October, 1918.

Ensign Arnold H. Vanderhook (retired) to be a lieutenant (junior grade) on the retired list of the Navy from the 21st day of October, 1918.

Maj. (temporary) Emile P. Moses to be a major in the Marine Corps from the 7th day of October, 1918.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

De Witt Peck and
Archie F. Howard.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Edward D. Kalbfleisch,
Chaplain G. Hicks,
Gustav H. Kaemmerling,
Colis Mitchum,
Leo D. Hermle, and
Frank R. Armstead.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1918:

John M. McGregor,
Clinton H. Wooten,
Henry A. Carr,
William T. Hutchinson,
William G. Olive,
Orrel A. Inman,
Henry N. Hale,
Harold Powell,
William S. Kelley, jr.,
John F. Ryan,
James E. Smith,
Albyn A. Wilcox,
Leonard S. Burns,
George C. Schleeter, and
Harold E. Kellogg.

POSTMASTERS.

ALABAMA.

William K. Cooper to be postmaster at Northport, Ala., in place of W. K. Cooper. Office became presidential January 1, 1918.

Joseph H. Read to be postmaster at Bessemer, Ala., in place of Daniel W. Houston, deceased.

ARKANSAS.

Levi N. Douglas to be postmaster at Trumann, Ark., in place of L. N. Douglas. Incumbent's commission expired January 31, 1918.

Robert H. Smiley to be postmaster at Hot Springs, Ark., in place of R. H. Smiley. Incumbent's commission expired March 2, 1918.

T. W. Sparks to be postmaster at Harrisburg, Ark., in place of T. W. Sparks. Incumbent's commission expired April 29, 1918.

Lucy C. Pullen to be postmaster at Foreman, Ark., in place of Lucy C. Dollarhide, married.

Thomas L. Smith to be postmaster at Lepanto, Ark., in place of W. E. Lamb, deceased. Office became presidential January 1, 1917.

Isaac G. Ritchie to be postmaster at Hardy, Ark., in place of Arthur Sullivan, resigned. Office became presidential January 1, 1918.

Alvin G. Stamps to be postmaster at Earl, Ark., in place of J. H. Nance, resigned.

CALIFORNIA.

Nelson R. Feirl to be postmaster at Portola, Cal., in place of Andrew M. Isom, deceased.

COLORADO.

Edward M. Robinson to be postmaster at Wray, Colo., in place of Lillian A. Hawks, resigned.

Dwight Cline to be postmaster at La Salle, Colo., in place of Clinton E. Mason, declined.

Vivian Sadler to be postmaster at Cheyenne Wells, Colo., in place of Samuel W. Baber, resigned.

CONNECTICUT.

Raymond E. Allen to be postmaster at Danielson, Conn., in place of George M. Pilling, removed.

Henrietta H. Burr to be postmaster at Baltic, Conn., in place of Thomas J. Sullivan, resigned.

DELAWARE.

James J. English to be postmaster at Wilmington, Del., in place of J. J. English. Incumbent's commission expired July 2, 1917.

Alfred L. Cummins to be postmaster at Smyrna, Del., in place of A. L. Cummins. Incumbent's commission expired July 2, 1917.

Rhubert R. German to be postmaster at Delmar, Del., in place of R. R. German. Incumbent's commission expired July 2, 1917.

FLORIDA.

Henry A. Drake to be postmaster at Port St. Joe, Fla., in place of J. E. Maddox, resigned.

Edwin E. Williams to be postmaster at Passagrille, Fla., in place of F. S. Kanode, resigned.

Alexander J. Burnham to be postmaster at Bushnell, Fla., in place of L. L. Sutton, deceased.

GEORGIA.

Henry M. Miller to be postmaster at Colquitt, Ga., in place of H. M. Miller. Incumbent's commission expired May 6, 1917.

Wiley M. Rogers to be postmaster at Union City, Ga., in place of R. F. Duckworth, resigned.

Julian E. Hart to be postmaster at Sylvania, Ga., in place of H. S. White, resigned.

Robert H. Wheelless to be postmaster at Naskville, Ga., in place of A. C. Sweat, removed.

Oscar O. Owens to be postmaster at Moultrie, Ga., in place of Charles Beaty, deceased.

Robert E. Barfield to be postmaster at Hahira, Ga., in place of W. W. Webb, resigned.

Ellen White to be postmaster at Fort Screven, Ga., in place of W. D. Evans. Office became presidential October 1, 1917.

Walter W. Daves to be postmaster at Cartersville, Ga., in place of H. J. Jolly, resigned.

ILLINOIS.

John H. Henson to be postmaster at Xenia, Ill., in place of J. H. Henson. Incumbent's commission expired August 27, 1917.

Charles C. Clymore to be postmaster at Vienna, Ill., in place of C. C. Clymore. Incumbent's commission expired May 5, 1918.

Benjamin R. Croxen to be postmaster at Peotone, Ill., in place of B. R. Croxen. Incumbent's commission expired August 15, 1917.

David R. Bennett to be postmaster at Panama, Ill., in place of D. R. Bennett. Office became presidential April 1, 1917.

Walter V. Berry to be postmaster at Irving, Ill., in place of W. V. Berry. Office became presidential October 1, 1918.

George H. Franzen to be postmaster at Fairbury, Ill., in place of G. H. Franzen. Incumbent's commission expired June 27, 1918.

Edward S. Bray to be postmaster at Scales Mound, Ill., in place of James Carr, resigned.

Edward W. Childe to be postmaster at Martinsville, Ill., in place of D. B. Ulrey, resigned.

William J. West to be postmaster at Odin, Ill., in place of J. M. Dace, resigned.

Blanche V. Anderson to be postmaster at Leland, Ill., in place of E. C. Schweitzer. Incumbent's commission expired July 25, 1917.

Inez M. Garrison to be postmaster at Flanagan, Ill., in place of W. F. Lutyen, resigned.

Owen C. McCartney to be postmaster at Hamilton, Ill., in place of W. H. Harkrader, resigned.

Peter C. Burrus to be postmaster at Bluffs, Ill., in place of E. D. Beird, resigned.

Noel V. Greathouse to be postmaster at West Frankfort, Ill., in place of Robert L. Cantrell, resigned.

Frederick W. Hartbank to be postmaster at Tolono, Ill., in place of P. H. Mulligan, resigned.

John F. Mains to be postmaster at Stronghurst, Ill., in place of C. E. Fort, resigned.

Katherine Adams to be postmaster at Riverton, Ill., in place of Emory Edwards, resigned. Office became presidential April 1, 1918.

Harry C. Shales to be postmaster at North Crystal Lake, Ill., in place of John R. McWhorter, resigned.

Tilson V. Worland to be postmaster at Neoga, Ill., in place of J. C. Neal, deceased.

Ernest C. Richter to be postmaster at Menard, Ill., in place of Perry F. Hathaway. Incumbent's commission expired March 24, 1918.

Irma C. Barlow to be postmaster at Loda, Ill., in place of Margaret Keegan, resigned.

Margaret E. Taylor to be postmaster at Keithsburg, Ill., in place of W. S. Cabeen, deceased.

William H. Rodebaugh to be postmaster at Greenup, Ill., in place of James M. Nunemaker, resigned.

Grace E. Tolle to be postmaster at Glasford, Ill., in place of Earl Bitner, resigned.

Charles T. Wilson to be postmaster at Eldorado, Ill., in place of W. J. Bixler, resigned.

Elmer T. Selby to be postmaster at Camp Point, Ill., in place of William Vollbracht, resigned.

Fannie E. Sheahan to be postmaster at Altona, Ill., in place of Benjamin T. Hart, removed.

INDIANA.

Fred H. Foster to be postmaster at Oxford, Ind., in place of M. P. Halgren, declined.

Clarence B. Taylor to be postmaster at Howe, Ind., in place of C. E. Schaeffer, resigned.

Earle A. Smith to be postmaster at Gosport, Ind., in place of G. B. Spicer, resigned.

Nathan W. Ringo to be postmaster at Dugger, Ind., in place of L. E. Chowning, resigned.

Emma A. Scott to be postmaster at Boswell, Ind., in place of Emmett Scanlon, resigned.

IOWA.

Edgar A. Greenway to be postmaster at Pleasantville, Iowa, in place of John H. Kerr, resigned.

George A. Moss to be postmaster at Persia, Iowa, in place of Freeda D. Hamann, resigned.

Fred A. Gefke to be postmaster at Hawarden, Iowa, in place of William Dealy, resigned.

KENTUCKY.

Isaac E. Newton to be postmaster at Earlington, Ky., in place of C. E. Barnett, resigned.

LOUISIANA.

Thomas Siddon to be postmaster at Winnsboro, La., in place of Martha E. Thompson, resigned.

Lillian E. Collins to be postmaster at West Monroe, La., in place of L. E. Russell, resigned.

Chester A. Thompson to be postmaster at Ville Platte, La., in place of Christina Derouen, resigned.

Jesse L. Fowler to be postmaster at Oak Grove, La., in place of H. M. Bailey, resigned.

John D. Fultz to be postmaster at Newellton, La., in place of A. N. Murdoch, resigned.

MICHIGAN.

Cornelius A. Bates to be postmaster at Marine City, Mich., in place of Charles J. Tarte, resigned.

MINNESOTA.

Milton P. Mann to be postmaster at Worthington, Minn., in place of John F. Flynn, resigned.

Charles J. Hohenstein to be postmaster at Gibbon, Minn., in place of John Friedl, resigned.

William Hope to be postmaster at Morris, Minn., in place of M. F. Finnegan, deceased.

Clarence D. Maxey to be postmaster at Backus, Minn., in place of Frank W. Zaffke, resigned.

MISSISSIPPI.

Henry B. Edwards to be postmaster at Shuqualak, Miss., in place of Oliva M. Jenkins, resigned.

Minnie O. Sharbrough to be postmaster at Rolling Fork, Miss., in place of John T. Griffin, declined.

Lawson A. Hill to be postmaster at Cleveland, Miss., in place of Solomon Seelbinder. Incumbent's commission expired September 18, 1917.

William P. Wildberger to be postmaster at Clarksdale, Miss., in place of R. N. Harris, resigned.

MISSOURI.

Charles B. Neville to be postmaster at Lawson, Mo., in place of Bayard C. Wilson, resigned.

Letcher L. Robinson to be postmaster at Chamois, Mo., in place of James Robinson, deceased.

NEBRASKA.

Joseph Fenimore to be postmaster at Merna, Nebr., in place of J. Fenimore. Incumbent's commission expired July 11, 1917.

Orris K. Jones to be postmaster at Lexington, Nebr., in place of O. K. Jones. Incumbent's commission expired February 24, 1918.

George W. Howe to be postmaster at Wisner, Nebr., in place of V. W. Clayton. Incumbent's commission expired June 21, 1917.

Edgar T. Lay to be postmaster at Seneca, Nebr., in place of George McCawley, resigned.

Glenn C. Chadderdon to be postmaster at Cambridge, Nebr., in place of James H. Carroll, resigned.

Frank R. Galbraith to be postmaster at Ainsworth, Nebr., in place of Charles H. Short, resigned.

NEW HAMPSHIRE.

Frank P. Hobbs to be postmaster at Wolfeboro, N. H., in place of F. P. Hobbs. Incumbent's commission expired July 26, 1917.

NEW MEXICO.

Chester G. Parsons to be postmaster at Wagon Mound, N. Mex., in place of Joseph C. Swain, resigned.

NORTH CAROLINA.

Sarah A. Lunceford to be postmaster at Smithfield, N. C., in place of A. M. Sanders, resigned.

NORTH DAKOTA.

Pearl C. Forslof to be postmaster at Warwick, in place of Christian O. Ness. Office became presidential July 1, 1917.

Arthur L. Young to be postmaster at Bowman, N. Dak., in place of Lillian B. Totten, removed.

OHIO.

George R. Irwin to be postmaster at Upper Sandusky, Ohio, in place of Marshall E. Foucht, removed.

Orville F. Barcus to be postmaster at Sunbury, Ohio, in place of Fred D. Baker, resigned.

OKLAHOMA.

Irving O. Diggs to be postmaster at Stillwater, Okla., in place of I. O. Diggs. Incumbent's commission expired February 2, 1918.

David G. Woodworth to be postmaster at Kingfisher, Okla., in place of D. G. Woodworth. Incumbent's commission expired March 19, 1918.

Baker B. Woodward to be postmaster at Bokoshe, Okla., in place of B. B. Woodward. Office became presidential April 1, 1918.

Hattie E. Malloy to be postmaster at Laverne, Okla., in place of John W. Bane, resigned.

Vernon B. Ellington to be postmaster at Wagoner, Okla., in place of Robert L. Windsor, resigned.

Claud Hannon to be postmaster at Wirt, Okla., in place of J. C. Cobb, removed.

Walter A. Thompson to be postmaster at Tahlequah, Okla., in place of A. B. Cunningham, resigned.

James G. Sprouse to be postmaster at McCurtain, Okla., in place of Clifford P. Martin, resigned.

Bronte L. Dean to be postmaster at Binger, Okla., in place of Opal C. Hawn, resigned.

OREGON.

Guy W. Brace to be postmaster at Yamhill, Oreg., in place of Harry C. Gist, deceased.

Richard H. Yates to be postmaster at Willamina, Oreg., in place of Paul C. Belt, resigned.

Exel Vogel to be postmaster at Rainier, Oreg., in place of J. W. Stacy, resigned.

Henry H. McReynolds to be postmaster at Pilot Rock, Oreg., in place of Ross A. Pickering, resigned.

PENNSYLVANIA.

J. Boyd D. Stewart to be postmaster at Wilson, Pa., in place of J. B. D. Stewart. Office became presidential January 1, 1918.

Edward Ace to be postmaster at Nicholson, Pa., in place of E. Ace. Incumbent's commission expired January 19, 1918.

Isaac Scarborough to be postmaster at New Hope, Pa., in place of I. Scarborough. Incumbent's commission expired January 15, 1918.

John A. Waltman to be postmaster at Mayport, Pa., in place of J. A. Waltman. Office became presidential January 1, 1918.

George B. M. Ward to be postmaster at Laceyville, Pa., in place of G. B. M. Ward. Incumbent's commission expired March 20, 1918.

Spurgeon L. Wilson to be postmaster at Driftwood, Pa., in place of S. L. Wilson. Office became presidential April 1, 1918.

James A. Cooper to be postmaster at Brockwaysville, Pa., in place of J. A. Cooper. Incumbent's commission expired May 26, 1918.

Thomas F. McHale to be postmaster at Olyphant, Pa., in place of John J. Moran, removed.

Percy W. Shepard to be postmaster at New Albany, Pa., in place of W. F. Packard, resigned.

John J. Roll to be postmaster at Natrona, Pa., in place of James S. Gordon. Incumbent's commission expired January 15, 1918.

Margaret C. Brown to be postmaster at Langeloth, Pa., in place of Thomas B. McKaig, resigned. Office became presidential October 1, 1916.

William A. Clancy to be postmaster at Foxburg, Pa., in place of J. M. Keesey, removed.

Joseph A. Hanley to be postmaster at Erie, Pa., in place of John T. Brew, resigned.

William D. First to be postmaster at Conneaut Lake, Pa., in place of G. B. Livingston, resigned.

Blair Rorabaugh to be postmaster at Clymer, Pa., in place of J. H. Fagan, resigned.

RHODE ISLAND.

Hartzell R. Birch to be postmaster at Kingston, R. I., in place of Alonzo A. Greeman, resigned.

SOUTH CAROLINA.

William A. Hill to be postmaster at Newberry, S. C., in place of W. A. Hill. Incumbent's commission expired August 2, 1917.

Luther McLaurin to be postmaster at McColl, S. C., in place of L. McLaurin. Incumbent's commission expired March 19, 1918.

Fred Mishoe to be postmaster at Greelyville, S. C., in place of F. Mishoe. Office became presidential January 1, 1918.

Inez H. Whitlock to be postmaster at Ridgeway, S. C., in place of Richard W. Adams. Appointee not commissioned.

William T. Reynolds, jr., to be postmaster at Mount Pleasant, S. C., in place of John A. Patjens, resigned.

Toliver D. Earle to be postmaster at Landrum, S. C., in place of Rufus G. Durham, resigned.

Marie V. Keil to be postmaster at Allendale, S. C., in place of James E. Searson, resigned.

Bruce K. Arnold to be postmaster at Woodruff, S. C., in place of B. K. Arnold. Incumbent's commission expired August 1, 1917.

Francis M. Cross to be postmaster at Westminster, S. C., in place of F. M. Cross. Incumbent's commission expired March 19, 1918.

Joshua L. Young to be postmaster at Ware Shoals, S. C., in place of J. L. Young. Incumbent's commission expired February 7, 1918.

Arthur R. Garner to be postmaster at Timmons ville, S. C., in place of A. R. Garner. Incumbent's commission expired March 19, 1918.

SOUTH DAKOTA.

Arnold Poulsen to be postmaster at Lennox, S. Dak., in place of Ailt J. Miller, resigned.

Claud I. Force to be postmaster at Clear Lake, S. Dak., in place of John Knuckey, resigned.

Perry H. Clute to be postmaster at Bigstone City, S. Dak., in place of Kate A. Schnacke, deceased.

Israel R. Krause to be postmaster at Java, S. Dak., in place of I. R. Krause. Office became presidential April 1, 1918.

TENNESSEE.

John S. Gilbreath to be postmaster at Pulaski, Tenn., in place of J. S. Gilbreath. Incumbent's commission expired March 19, 1918.

Gordon B. Baird to be postmaster at Obion, Tenn., in place of G. B. Baird. Incumbent's commission expired January 12, 1918.

William H. Howard to be postmaster at Milan, Tenn., in place of W. H. Howard. Incumbent's commission expired March 11, 1918.

Arch W. Ashton to be postmaster at Hohenwald, Tenn., in place of A. W. Ashton. Incumbent's commission expired May 2, 1918.

B. Hampton Moore to be postmaster at Halls, Tenn., in place of B. H. Moore. Incumbent's commission expired April 6, 1918.

Robert W. Caldwell to be postmaster at Gallatin, Tenn., in place of R. W. Caldwell. Incumbent's commission expired March 25, 1918.

Thomas P. Rucker to be postmaster at Franklin, Tenn., in place of T. P. Rucker. Incumbent's commission expired June 29, 1918.

Franklin W. Latta to be postmaster at Dyersburg, Tenn., in place of F. W. Latta. Incumbent's commission expired March 9, 1918.

James M. Scarborough to be postmaster at Dover, Tenn., in place of J. M. Scarborough. Incumbent's commission expired March 9, 1918.

Robert L. Long to be postmaster at Church Hill, Tenn., in place of R. L. Long. Office became presidential October 1, 1917.

Enos O. Thomas to be postmaster at Camden, Tenn., in place of E. O. Thomas. Incumbent's commission expired March 25, 1918.

Benjamin W. Scott to be postmaster at Bradford, Tenn., in place of B. W. Scott. Office became presidential April 1, 1918.

John T. Clary to be postmaster at Bellbuckle, Tenn., in place of J. T. Clary. Incumbent's commission expired August 22, 1917.

Eugene F. Allen to be postmaster at Ashland City, Tenn., in place of E. F. Allen. Incumbent's commission expired June 24, 1918.

Addie D. Bell to be postmaster at Springfield, Tenn., in place of A. D. Bell. Incumbent's commission expired June 24, 1918.

Alson C. Patton to be postmaster at Bells, Tenn., in place of G. W. Bell, resigned.

Dudley D. Edgemon to be postmaster at Englewood, Tenn., in place of Patrick H. Toomey, resigned.

Haggai M. Miller to be postmaster at Mountain City, Tenn., in place of M. W. Jackson, deceased.

Jessie R. Alexander to be postmaster at Mountpleasant, Tenn., in place of L. H. Hammond, resigned.

Lucille Morris to be postmaster at Tiptonville, Tenn., in place of Ira LaF. Lemonds, resigned.

TEXAS.

Allie R. Arnold to be postmaster at Trinity, Tex., in place of W. W. Trow, deceased.

UTAH.

Charlotte H. Nelson to be postmaster at Castlegate, Utah, in place of D. R. Evans, resigned.

Thomas Brimley to be postmaster at Farmington, Utah, in place of Nephi O. Palmer, resigned.

Clyde Panter to be postmaster at Magna, Utah, in place of Randal M. Wooley, resigned.

VIRGINIA.

Rose A. Milligan to be postmaster at Urbanna, Va., in place of Carroll C. Chowning, resigned.

WASHINGTON.

Eugene E. Wood to be postmaster at Deer Park, Wash., in place of A. J. Peters, deceased.

Isaac H. Jennings to be postmaster at Spangle, Wash., in place of Alice Sullivan, resigned.

WEST VIRGINIA.

Arthur T. McCort to be postmaster at Follansbee, W. Va., in place of James A. Stephens, resigned.

WISCONSIN.

Douglas S. Knight to be postmaster at Bayfield, Wis., in place of Henry Wachsmuth, sr., removed.

Palmer G. Slauson to be postmaster at Evansville, Wis., in place of Alexander Richardson, deceased.

Gustav B. Husting to be postmaster at Mayville, Wis., in place of Paul A. Herberg, deceased.

Edward A. Severson to be postmaster at Neenah, Wis., in place of J. P. Keating. Incumbent's commission expired October 4, 1917.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 4, 1918.

The House met at 12 o'clock noon.

The Rev. James Sherra Montgomery, of the Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, help us that we may ever lift our eyes unto the hills from whence cometh our strength. Our strength cometh from the Lord. Regard our Nation in great favor, direct us by Thy wisdom, and inspire us by Thy truth. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. CAMPBELL of Kansas, by unanimous consent, was granted leave of absence for one week, on account of illness.

CONTESTED ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana, from the Committee on Elections No. 1, presented a privileged report (No. 839) from said committee in the contested election case of Wickersham v. Sulzer, which was ordered printed and to lie on the Speaker's table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill of the following title:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.

QUESTION OF PERSONAL PRIVILEGE.

Mr. FREAR. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. FREAR. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. FREAR. On the 23d day of September last I made a speech on the floor of the House in regard to the Security League of New York and briefly discussed the charges the league had made against the American Congress. Immediately afterwards Mr. Lydecker, of the Security League, sent a letter to the Speaker of the House, in which he charged me with "pacifism or worse." The last term would be indefinite were it not for the fact that the league had been charging Members of the House generally, myself included, with pacifism and with disloyalty.

On October 1 last the New York Tribune published an editorial, from which I take the following extract:

It is true that the National Security League has been denounced in Congress. This was done by Representative FREAR, of Wisconsin, whom the league opposed for reelection because he had voted against the declaration of war and against the Kahn amendment, which was essential to the selective draft, and for the notorious McLeane and Cooper amendments, thereby failing to stand the "acid test" stipulated for by President Wilson. So much for FREAR.

Hearst attacks the National Security League for a similar reason, namely, that it has denounced his disloyalty.

Mr. Hearst's criticism of the Security League, according to the Tribune, is because the league has attacked his "disloyalty," "a similar reason" advanced, according to this paper, for the league's attack upon myself.

Mr. Speaker, there are a number of other communications that I have with me and that I will submit later to the proper committee, but I think that presented is sufficient to qualify under the rule of personal privilege.

The SPEAKER. The gentleman may proceed.

Mr. COOPER of Wisconsin. Mr. Speaker, this is a matter of great importance to the membership of the House, and I raise the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. GARRETT of Tennessee and Mr. KITCHIN moved a call of the House.

The roll was called, and the following Members failed to answer to their names:

| | | | |
|------------------|------------------|-----------------|-----------------|
| Blackmon | Ferris | Langley | Sears |
| Campbell, Kans. | Fess | Littlepage | Sells |
| Carlin | Flood | McClintic | Shouse |
| Carter, Mass. | Flynn | McCormick | Siegel |
| Carter, Okla. | Focht | McLaughlin, Pa. | Sims |
| Cary | Francis | Maher | Smith, C. B. |
| Church | Fuller, Mass. | Mason | Stedman |
| Connally, Tex. | Gallivan | Montague | Stephens, Miss. |
| Connelly, Kans. | Garrett, Tex. | Mudd | Sterling |
| Costello | Gray, N. J. | Nelson, J. M. | Sullivan |
| Cox | Hamilton, N. Y. | Nicholls, S. C. | Swift |
| Cramton | Haugen | Nolan | Thomas |
| Crisp | Hayden | Norton | Tinkham |
| Curry, Cal. | Hayes | O'Shaunessy | Van Dyke |
| Dale, N. Y. | Heintz | Pratt | Vare |
| Dale, Vt. | Helm | Price | Venable |
| Decker | Hensley | Ragsdale | Voigt |
| Delaney | Hood | Raker | Volstead |
| Dent | Howard | Roberts | Waldow |
| Dies | Hull, Tenn. | Rowland | Walker |
| Drukker | Hutchinson | Rucker | Welling |
| Dunn | Johnson, S. Dak. | Russell | Welty |
| Dupré | Juhl | Sanders, La. | Wilson, Tex. |
| Ellsworth | Keboe | Sanders, N. Y. | Wingo |
| Emerson | Key, Ohio | Scott, Mich. | Woods, Iowa |
| Estopinal | Kiess, Pa. | Scott, Pa. | Woodyard |
| Fairchild, G. W. | Kreider | Scully | |

The SPEAKER. On this vote 326 Members—a quorum—have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Wisconsin [Mr. FREAR] is recognized.

Mr. FREAR. Mr. Speaker, I will not repeat the statement which I submitted to the Speaker and the House which raises the question of personal privilege. I will proceed directly to the subject in hand, and I trust that I shall not have interruptions, because it will take me nearly all the allotted time to say what I have in mind. I trust you will accord me the attention which I believe the subject deserves.

Mr. Speaker, during the stress of war in June, 1918, the National Security League, a New York corporation, in a bulletin published throughout the country said "it"—the league—"had taken upon itself * * * to prevent the election of incompetent or disloyal men to Congress. * * * Work for a Congress of able men. * * * Organize your district. * * * Write us what you have done. The entire membership of over 100,000 will be thrown into the campaign for the election of a loyal Congress." The bulletin contained further insinuations that the present American Congress is disloyal.

August 10, 1918, this corporation furnished to the press its chart of "acid test" votes in Congress and by direct inference purposely charged that over 300 Representatives and 47 States were disloyal, followed by the query, "What are you going to do about it?"

In a September bulletin this corporation furnished a widely published statement to the press saying "it"—the league—"is prosecuting an aggressive nonpartisan campaign in all parts of the country to insure the election to Congress of men of demonstrated loyalty and ability."

September 18 this same corporation sent an insolent questionnaire to all Representatives in Congress giving 10 days' time in which to answer, and threatening "country-wide publicity." Charges of individual disloyalty will be referred to hereafter.

During the 1918 primaries and election this corporation "aggressively" worked to defeat its blacklisted Members wherever opposition could be aroused. It claims to control a membership of over 100,000, "over 1,000 volunteer speakers cooperating with Government authorities in Washington," and admits an annual expense bill of over \$1,000,000, with which to crush opposition.

Eighty per cent of the House has been branded disloyal and unpatriotic by this political blackhand corporation, while hundreds of thousands of voters, irrespective of election or defeat of individual Members, have accepted these false and dishonest statements as true. To repeat its own query, "What are you going to do about it?"

On September 23 I called attention of the House to the charges of disloyalty made by this New York corporation, which Gen. SHERWOOD appropriately terms the "National Obscurity League," against over 300 Members of this House, and similar charges made against 47 of the States, together with evidence of its efforts to defeat Representatives in 1918 in an assumed campaign to elect a "loyal Congress." A resolution of investigation was briefly discussed at that time. For reasons that will later appear efforts to press the resolution for immediate action were withheld, but I am addressing the House in support of the same general proposition and on a matter of the highest privilege. I fully appreciate my own comparative weakness in challenging public slanders issued by this powerful, arrogant corporation that boasts of its large membership, great wealth, and potent influence throughout the land whereby to destroy all those who meet with its disapproval.

On behalf of proscribed Representatives, I could wish that some older and abler Member might challenge charges that reflect upon the patriotism and loyalty of the House and of the country. In an abiding consciousness of my own rectitude of purpose to fulfill every pledge voiced by the oath of office, and in an equally confident belief that this House and this Congress has fully met every test of patriotism and every obligation imposed by the great world's war, I ask your indulgence while offering a brief statement in support of my request for an early investigation of the National Security League of New York.

Mr. Speaker, under existing law the country selects its Representatives by popular choice at both the primary and election. Responsive directly to the people, the high character of membership of this body may be measured by that fact. The House is representative of the people, and if the people are honest and strong, and they generally measure up to their critics, then the House is a fair index of those back home who are the real government.

Once all powerful and controlling in national affairs, the country has witnessed the coordinate hold on reins of government possessed by this legislative body gradually slip away, until the Senate, by usurpation of House functions, the judiciary, by setting aside legislation, often through a divided court, and the Executive, not infrequently by unmistakable command, one

and all have subordinated the House to the position it now holds.

The powerful press and great business interests of the country with growing insistence demand that revenue and other important legislation be rewritten by the Senate, so that bills constitutionally originating in the House are practically nullified through limiting to amendment of conference reports and brief debates its influence on such legislation.

Not one constitutional power has been abrogated by the House, or the people whom it most closely represents, through frequent elections. Not one legislative function has been abridged by that people, but the House of Trumbull, of Madison, and of Adams has permitted a marked loss of jurisdiction constitutionally vested in it by them. This legislative body, once guided by the forceful statesmanship of Clay, Calhoun, Stephens of Georgia, and Stevens of Pennsylvania, is subordinated in its legislative prerogatives through easy custom. The forum made famous by Blaine, Garfield, McKinley, and Carlisle, the House of Randall, Reed, CANNON, and CLARK, with sole authority to impeach and in certain cases even to elect the President himself, is shorn of the power and prestige provided by our forefathers first of all when drafting the Constitution.

While Great Britain has watched powers granted under the scope of Magna Charta to its "Commons" grow beyond the dreams of a single century ago, the people of this country during that same period have watched their own popular branch of Government, through its surrender of legislative rights, become subordinated to all others.

Mr. Speaker, never has this House been more responsive to the will of the people than during the notable sixty-fifth session. From our distinguished Speaker down to the humblest Member, the honest historian will write that average patriotism, ability, and industry during these strenuous days of our greatest war have fully measured up to the highest standards of the past. Supporting to the utmost, practically unanimously for the first time in history, all the Executive's recommendations for cooperative aid, we have given millions of our best men and over fifty billions of our dollars toward the prosecution of the war. We have squarely met two great moral and governmental problems that confronted the people for a half century—prohibitory and equal suffrage legislation, both of which the House by a two-thirds vote has submitted to the country. No legislative body since the organization of governments has better deserved or more justly merited the confidence and trust of the people it represented.

It is not my purpose to offer reasons for loss of prestige and power once possessed by the House, for men will differ as to cause, however closely they agree as to results, but one cogent reason why the House is differently regarded by the country than in days of old is because of its easy acquiescence in the new order of things.

In times of peace or war reputable writers and irresponsible scribblers, big interests and innumerable little interests, find common cause in unrebuked criticism of the House. The intelligence and Justice Departments waste no words or time in handling slanderers of the Executive. The judiciary rarely finds need to punish for contempt, because the public refuses to permit the ermine to be dragged in the mire. The Senate reaches out with its probe and seizes interests that, cuttlefishlike, besmirch its membership, but the House is the target of ill-natured flings, from whatever source, until to-day and during the pendency of a great war, when its membership loyally joined in the support of every measure for carrying on the war, a New York corporation "league," headed by an ex-United States Senator and an ex-candidate for the Presidency, has publicly branded the House as disloyal and un-American, from its Speaker down to and including over 300 Members.

Why was the House singled out for attack by this New York corporation? Why were Mr. Root and Mr. Parker unwilling to arouse senatorial anger? Why were they silent over senatorial records that are precisely like those of House Members? Why does the House permit men, however noted, to libel its membership under a cloak of "patriotism"?

This practice of gross misrepresentation is common. Recently a local Washington paper berated Congress editorially day after day for enacting war-time prohibition. It openly charged that a majority of Representatives were stealthily smuggling liquors in back doors of their residences while legislating bone-dry conditions for the public at large in Washington and elsewhere. Such false criticism during times of war held Congress up as a parcel of hypocrites without principle or conscience. A short time ago the paper that uttered these constant and vicious attacks was disclosed to be financed by brewing interests. The motive for the attacks was then understood, but the public only

remembers unrebuked charges of double-dealing by Congress and an impression that its motives are insincere.

Stock gambling by Members generally was the gist of Tom Lawson's charges, repeated with amplifications by sensational newspapers. Proof was submitted that every charge was baseless, and Lawson's slanders were shown utterly false, but the libel against Congress, collectively and individually, was published from one end of the country to the other, and belated truth received little attention from the press that carried the libel or the humbugged public that believed it. No man was punished, no man usually is punished, however false or serious the charge.

Just and unjust criticisms are regularly voiced against public officials, and during times of peace the country is inclined to await facts and suspend judgment; but these have been days of sacrifice, individual and national, days when honest, well-balanced men were no longer of judicial mind and when crazed individuals and hysterical temperaments were unable to weigh calumny or falsehood.

Mr. Speaker, when misrepresentations and hypocritical insinuations are used by a blackmailing New York league for questioning the loyalty and Americanism of 80 per cent of the American Congress during critical times of war, when foul libels are published from one end of the country to the other, and when, under a cloak of patriotism, these interests endeavor to defeat their blacklisted roll of Congressmen, the time has come for Congress to haul before the bar of the House those responsible for malicious slanders and to measure out adequate punishment. [Applause.] If charges are true, if we are disloyal, we have no right to sit in this House. [Applause.] Every Representative, whether proscribed or of the 47 perfect patriots accepted by these interests, should join in protecting the honor and dignity of the House.

I am proud to be a Member of this honorable body that knows no superior but the people. I am jealous of its reputation for loyalty. A scene of strong partisanship in times of peace, its membership has never failed the President since war was declared. Practically unanimous in support of every measure for the conduct of the war, voting fabulous appropriations without means of determining expenditures, giving ungrudgingly to the limit from the most valued part of the Nation's wealth and strength—its manhood—there never has been in past history of this or any other country a legislative body more united and unselfish in its patriotism than the Sixty-fifth Congress. [Applause.]

In my remarks of September 23 I set forth the character of charges made by this New York Security League against the membership of the House and its acceptance by hundreds of thousands as conclusive proof of disloyalty. The use of the charges in many different congressional districts was also briefly stated. Speeches by Representatives COOPER of Wisconsin, McCULLOUGH, HAYDEN, and others have analyzed and disclosed these false and dishonest "acid tests." Briefly stated, the notorious New York corporation declared that the loyalty of the American Congress must be measured by eight votes cast in Congress, which were as follows:

- No. 1, March 7, 1916, tabling of the McLemore resolution.
- No. 2, April 18, 1916, Kahn amendment to Military Committee bill.
- No. 3, April 18, 1916, Brandegee amendment to military bill.
- No. 4, April 13, 1916, providing for a volunteer reserve under Federal control.
- No. 5, June 2, 1916, to recommit naval bill.
- No. 6, March 1, 1917, amendment as to American ships carrying arms or munitions. All those six amendments or votes were before the war.

No. 7, April 5, 1917, declaration of war.
No. 8, April 23, 1917, Kahn amendment to conscription bill.
Of these eight "acid-test" votes, six were prior to the declaration of war. Only one vote, on the Kahn amendment, was since the declaration. All the one hundred or more remaining measures since war was declared, for raising millions of men and billions of dollars, were ignored by this self-constituted bunch of "loyalty" critics. It has been pointed out repeatedly that prior to the declaration of war with Germany our Government was neutral and that violations of treaty provisions by different belligerents, however objectionable, were specifically challenged only by a declaration of war. Until then no act of the Executive or of Congress, however debatable, was "disloyal." Thereafter every vote admittedly was loyal, excepting the questioned "Kahn amendment."

The Kahn amendment did not give us conscription, but struck from the conscription bill a volunteer provision and took from the President the option therein provided of determining when to enforce conscription. The Security League dishonestly and maliciously misrepresented that vote. Again, the so-called

Brandegee amendment and other comparatively insignificant measures prior to war did not reach in number or amount 5 per cent of the men or money unanimously voted by the Sixty-fifth Congress after war was declared.

Mr. Speaker, such "acid tests" were never selected to determine "loyalty." Why, then, did this New York corporation promise "to elect a loyal Congress"? What kind of a corporation determined test votes on loyalty, which, if applied to Washington, Lincoln, Douglas, Greeley, McClellan, Lloyd George, or President Wilson, would have barred these men from ever holding public office? Testing these "acid tests," the full absurdity appeared when within the past month President Wilson, his Cabinet, and all leading members of his party asked for the return and reelection of the Democratic Congress, notwithstanding only four Democratic Representatives passed these "acid tests." [Applause.] On the other hand, Roosevelt, Taft, Hughes, and practically all other leading Republicans urged the reelection of over 200 Republican candidates, 80 per cent of whom were blacklisted by Mr. Root's corporation. Not one word affecting eight "test" votes or of one "test" vote came from the leading men of the country. Not one suggestion of disloyalty or un-Americanism of hundreds of candidates publicly proscribed by the "security league." Unless President Wilson and his Cabinet and Roosevelt, Taft, and Hughes, all foremost Americans, were false to themselves and to their country, then the political propaganda against Congress of this "patriotic" league and other political leagues of like character is an infamous lie, knowingly uttered for political ends. Practically every leading American so determined when these "tests" and "leagues" were ignored.

In other words, only a fool or knave will contend that several comparatively unimportant votes before war rather than 100 votes after war determines loyalty. Logically, the eight tests were a stupid blind. What, then, was the motive of their selection by this arrogant bunch of "loyalists," compared with whom Kaiser Bill and his aids were mere novices?

These witnesses against Congress first determined what the law should be on "loyalty" and then selected eight "test votes"; but in addition to the dual rôle of witnesses and lawgivers for the trial of the American Congress, these same interests arrogated to themselves the additional rôles of prosecutor and of judge. Lawgiver, witness, prosecutor, and judge, all embraced in one, is this powerful but irresponsible Wall Street corporation, which demanded the defeat of the American Congress on the most heinous charge ever laid against public officials.

England did not want an election during the war for fear it would revive all the unscrupulous graveyard political ghouls of whom our "security league" and other camouflaged patriots are exhibits. She avoided these political harpies during the war by extending the legal life of the present House of Commons three years ago. America's Constitution compelled such elections here, and so it became the refuge of every hypocritical lip patriot who had a grudge to settle, an ambition to gratify, or a secret purpose to further. To these elements in every district this New York corporation appealed in carrying out threats to defeat its blacklisted Congressmen.

Mr. Speaker, in its libelous statements given to the press Representatives generally were pilloried, including Speaker CLARK, leaders KITCHIN, FERRIS, MANN, MOORE, LENROOT, FESS, and others, and were declared to be un-American, disloyal, or whatever vile insinuation could be carried to the voters' minds, supported by the promise that this corporation would rescue the country by a political campaign for a "loyal Congress," "Forty-seven" perfect patriots in the House, like Heinze's "57" varieties of pickles, were, however, acceptable to the league, of whom just a quartette of Democrats, out of 220 Members, or less than 2 per cent, were stamped "O. K."

Even the 47 experienced some recent political casualties; but my purpose now is to show the significance of omitted legitimate tests by these same interests. The first real fight after war was declared came over the first revenue bill, which carried the sinews of war, and was passed overwhelmingly on May 23, 1917. No sensible man claims opposition to that measure was disloyal, although the bill was of vital importance to the war. The first revenue bill demanded by the President to finance the war found 19 of the 47 perfect patriots approved by the league voting "nay," or 40 per cent voted against the first war-revenue bill. On the Lenroot amendment to the revenue bill to increase taxes on incomes of \$20,000 and more also passed overwhelmingly, 30 per cent of the opposing vote came from the 47 perfect patriots approved by these interests.

I am not questioning any Member's vote, but am pointing out omitted tests. Based on its inquisition chamber "acid tests,"

the New York junker corporation next determined that 47 of the 48 States were disloyal and gave to the press of the country on August 10 the following percentages of disloyalty:

Alabama, 60; Arizona, 62.5; Arkansas, 55.35; California, 48.86; Colorado, 78.12; Connecticut, 5; Delaware, 12.5; Florida, 56.24; Georgia, 58.33; Idaho, 43.75; Illinois, 39.81; Indiana, 52.88; Iowa, 64.77; Kansas, 62.5; Kentucky, 60.23; Louisiana, 45.31; Maine, 25; Maryland, 34.61; Minnesota, 68.75; Mississippi, 60.94; Missouri, 60.15; Montana, 62.5; Nebraska, 75; Nevada, 50; New Hampshire, 6.25; New Jersey, 21.87; New Mexico, 12.5; New York, 15.11; North Carolina, 56.25; North Dakota, 79.16; Ohio, 55.67; Oklahoma, 54.69; Oregon, 20.83; Pennsylvania, 31.67; Tennessee, 51.25; Texas, 66.67; Utah, 31.25; Vermont, 12.5; Virginia, 47.5; Washington, 37.5; West Virginia, 31.25; Wisconsin, 70.45; Wyoming, 75.

Presumably 90 per cent of the House membership standing for reelection and opposed by the New York Security League weathered the storm on November 5, but a few strong public men in close districts were defeated by such poisonous misrepresentation as I have described and victorious Members are left under suspicion. The "tests" and methods have been shown to be hypocritical, and brief reference to patriots responsible for such wholesale slanders may be somewhat enlightening.

The New York Junker Security League Corporation is reputed to be a creature of Wall Street, supporting big-business dreams of national expansion, wherein our Government is to encompass the world in its commercial grasp backed by its own plan or scheme of universal compulsory military training, irrespective of peace terms. A great military and naval establishment of several hundred thousand men or more may be necessary to police other countries from Russia and China to Mexico, and from Patagonia to Panama and to the Philippines. Powerful interests are not adverse to this program, interests that oppose any league of nations or gradual international disarmament or open diplomacy. An investigation will disclose their relations, if any, to this New York corporation that charges the American Congress individually and collectively with crimes of treasonable proportions.

Mr. Speaker, the "Security League, Incorporated," was organized about 1914 and at once became the self-constituted guardian of our liberties and autocratic judge of our patriotism. As set forth in a speech of September 23, its leading sponsors are Elihu Root and Alton B. Parker, of New York City. At the last annual meeting, held May 8, 1918, a "Colonel" Lydecker presented a list of 60 people, including himself, for officers, directors, and "committeemen far and wide," which list was accepted without opposition. Elihu Root was named "honorary president," and Alton B. Parker "honorary vice president."

S. S. Menken, a "Democratic league organizer" of many years' experience, was named "president," a position he had held since 1914. In June, 1918, according to the press, the resignation of Menken was demanded by the league because of his public commendation of William R. Hearst, of New York. After Menken was kicked out by the anti-Hearst interests, Lydecker, a member of the executive committee, took Menken's job. It was Lydecker who insolently wrote Speaker CLARK regarding the proposed investigation. Taking up the officers of the Security League who have attacked the "loyalty" of Congress, we first have Mr. Elihu Root, honorary president. In a June, 1918, league bulletin published throughout the country is the statement, "The entire force of the league's 281 branches and its membership of over 100,000 patriotic Americans will be thrown into this campaign for the election of a 'loyal Congress.' Elihu Root, honorary president, is taking an active part in this campaign." In August Mr. Root's corporation sent broadcast the chart of "test" votes, therein condemning the American Congress and 47 of the 48 States as disloyal.

Immediately following the recent November election the press significantly announced Elihu Root would be chief counsel and legislative agent for all the railways of the country, with \$17,000,000,000 at stake, in the most gigantic legal and business deal ever known—the return of railways to private ownership. A pliable or obdurate Sixty-sixth Congress will determine questions of disposition and of terms. Coincidentally, all leading officials of the Security League Corporation are noted corporation lawyers. Coincidentally, single members of the "league's" executive committee are on the directorates of a dozen or more large railway systems. Coincidentally, politically patriotic leagues in 1918 were largely officered and financed by big-business interests. Coincidentally, many candidates for Congress of such interests had notoriously ossified and reactionary records. With billions of dollars in issue, such Representatives might be of undoubted aid during the Sixty-sixth Congress in unscrambling railway interests, according to the views of those instrumental in such elections.

I will not discuss the inglorious failure of the Russian Commission or millions of dollars loaned by the United States to a paper Russian Government after Root's unpublished report was received. Matters of personal patriotic or unpatriotic records are also trivial. The country knows that after this Security League corporation headed by Mr. Root put forth its hypocritical acid tests and "aggressively" tried to defeat blacklisted Members, President Wilson, ex-Presidents Taft and Roosevelt, Mr. Hughes, and many other leading men ignored so-called loyalty tests and urged reelection of many proscribed Members. Why did Mr. Root and his associates lodge the infamous charge of disloyalty against scores of Representatives, a charge repudiated by the country?

Alton B. Parker is "vice president" of this New York corporation. His hold on public attention was first gained in 1904, when he was defeated by over two and one-half million votes because of alleged subservience to Wall Street. Mr. Parker's patriotic efforts do not occupy any pages of past history. In this particular he emulates Mr. Root, but as a champion of preparedness Mr. Parker is brought out from obscurity when, standing on a platform for the Presidency in 1904, he publicly demanded "a reduction of the American Army and Army expenditures." In 1904 our total forces throughout the world numbered 64,264 officers and men, of whom only a handful were in this country fit for real military service. That small number Mr. Parker demanded should be reduced. This year he was trying to defeat a Congress that unanimously supported every measure for carrying on the war, reaching millions of men and over fifty billions of dollars in the aggregate, while the last famous utterance of Mr. Parker, a new apostle of preparedness and patriotism, was for a reduction of our Army and of Army expenditures, then reaching less than 2 per cent of those we provided. What, then, was Mr. Parker's real purpose in denouncing 300 Representatives of the American Congress as disloyal?

Next we reach Lydecker, of suggestive name, another president of the Security League, who was given Menken's job. In the only red book of blue blood treasured by the aristocracy of America, "Who's Who," Lydecker says of himself he is a lawyer engaged in "corporation work, will contests, administration of estates, reference, and counsel duties." Innate modesty prevents any further flamboyant free advertisements of his self-confessed qualifications, but Lydecker's corporation work harmonizes with recognized legal services of the honorary president and vice president, who jointly compose a small army of home-guard corporation counsel. In the list of American immortals found in "Who's Who," 1916-17, page 1531, is an eulogy of "Lydecker" written by Lydecker. He says he is "a Democrat," therefore a follower of Menken, but a hidden mystery is there revealed.

"Twenty-eight tons" of league literature and boiler plate carried free by the press of the country contain fulsome eulogies, pictures, and propaganda, with "Col." Lydecker, a fierce, military-looking man, generously occupying the center and all four corners of the boiler plate. So frequently has he been presented as a "kernel" that the close proximity of a nut was certain, but "Who's Who" says that Lydecker is no "colonel" at all. Years ago Lydecker was a major in the New York Militia, but during the Spanish-American War, apparently, he ducked war service and bravely hung close to dear old Broadway until war was over.

Answering Lydecker's malicious personal libel, incidentally I raised a company of ex-National Guardsmen for that same war and tendered it to the governor of Wisconsin for immediate overseas service. After many years' service in the Regular Army and State National Guard, when resigning as judge advocate of Wisconsin later in life, all military titles, including that of colonel, were surrendered. My father served three and a half years to save the Union. My son, still in France with the Thirty-second Division of "Les Terribles," fought at Chateau-Thierry, while Lydecker from his New York office was fixing loyalty tests for the American Congress. [Applause.]

The New York press of November 17, 1918, says "Col. Charles E. Lydecker and his league have seven broad principles which the league has mapped out for itself," the first being "to urge a just and careful peace treaty," and so forth. While framing the greatest treaty of all the ages, President Wilson, Lloyd-George, Clemenceau, and all world peace delegates, together with the Senate that confirms treaties, one and all may depend upon Lydecker's aid in avoiding international carelessness for, according to Lydecker's bulletin, he also will "urge a just and careful peace treaty." Thank God for Lydecker—and Charlie Chaplin. [Laughter.]

Lydecker says in "Who's Who" he wrote a "Monograph on Militia," and so got into the "Navy League" before that league was founded by Secretary Daniels. "Who's Who" also says modestly Lydecker was a "founder of the National Security

League." Lydecker, once a "major of milish," and now colonel of the obscurity league, declared 300 Representatives disloyal, including our colleague, Gen. SHERWOOD; yet SHERWOOD won his shoulder straps fighting his way to the top in 40 battles [applause], while Lydecker apparently ducked one real chance to fight and never had any military title or public office of moment in his life. [Applause.] Now, our imitation "major" crowds President Wilson a close second in space covered in "Who's Who." Like senators of 12 centuries ago, it well may be asked, "Upon what meat doth this our major feed that he has grown so great?" Sir Joseph Porter, of Gilbert and Sullivan's "Pinafore," comes to life in this "You-know-me-Mabel" militia rookie, who "polished up his buttons so care-ful-lic that now he's the ruler of the Nation's loyaltee."

Wearing a gobbler strut and borrowed peacock feathers, this rare bird wrote impertinently to Speaker CLARK he would fly to Washington when needed. By all means have Lydecker brought along together with his frayed militia feathers and frumpery, but any investigation that fails to include the real actors now behind the scenes will be the play of Hamlet with the Dane and ghost left out.

It is not my purpose to discuss different agents of the "league," some of whom are caustic writers; but two or three are noted whose pictures generally grace "28 tons of boiler plate" printed "in 1,400 papers" throughout the country. Among these Claude Van Tyne is a conspicuous member. A corporation cook of canned patriotism, Claude Van Tyne is the Dick Deadeye of this Pinafore crew.

Van Tyne, director of the Security League's "educational bureau," gave to the press a scurrilous attack on the Committee on Public Information, charging that its chairman heartily recommended a book about the war. Van Tyne's poisonous inquiry followed, "Is he a safe man to occupy the position he does so potent for the good or ill of our cause?" Creel's answer to Lydecker, of September 30, 1918, declares Van Tyne's attack is "dishonest and indecent." I hold no brief for Mr. Creel, but Congress is interested in Van Tyne, whose league protects "our cause" against a disloyal Congress and against other disloyal public officials.

An editorial from *The Nation* thus sizes him up:

As for Prof. Van Tyne, what is to be thought of a scholar who not only aids and abets the cowardly attack but allows himself to garble and misquote printed statements upon which the attack is based?

Claude Van Tyne in a half column of "Who's Who" gives a thrilling account of several exciting bicycle and canoe trips he has survived, and also says he once wrote a book entitled "The Loyalists of the American Revolution." Therein he claims the Tories of the Revolution were real "loyalists," just as his associated Wall Street Tories now claim to be the real loyalists. I quote briefly from his book:

The banishment or death of these conservative and respectable Americans (Tories) is a tragedy but rarely paralleled in the history of the world; * * * driven into exile or deprived of the political and social influence because of an unremitting intolerance. * * *

Many Tories loved America with a sincerity not surpassed by the most high-minded Whigs. Though posterity has not awarded them the name, it may wisely concede to them the character of the "patriot." The "tragedy" of the Tories, "unremitting intolerance" of Washington, Adams, and other patriots against Van Tyne's Tory "patriots" of 1776 excites his criticism.

Claude Van Tyne writes of John Adams, one of the pillars of the Revolution:

We see the folly of John Adams's theory of the creation of the Loyalist Party. Had Adams spoken * * * he would have shown a better grasp on the true state of affairs.

These are gems from Van Tyne. In Webster's wonderful eulogy on John Adams's influence on the Republic, America's leading statesman summed it up with Websterian power and force: "Adams spoke onward, right onward." Thomas Jefferson declared John Adams was our "Colossus both of thought and expression." Yet Van Tyne grasps where he says the giant Adams failed. Colossal egotism, thou art indeed Tyne. This modest Security League Solomon easily disposes of Gen. Charles Lee thus:

Charles Lee, who at this time posed before the credulous colonists as a military genius and whose sententious piety glowed most brightly when his zeal was most hypocritical.

Mr. Speaker, great men with direct knowledge and pigmies without may differ in estimates, as shown by George Washington's letter of that period, which says regarding Lee:

He is the first in military knowledge and experience we have in the whole Army. He is zealously attached to the cause. * * * I congratulate my countrymen on his appointment.

Claude's own book on Tory "loyalists" again says: "Every attempt to enforce an unpopular law or any real or rumored approach of the British forces was enough to make every secret Tory alert and eager to overthrow his Whig oppressors. The

latter were only too well aware of the unstable nature of their tyrannical power." Many similar extracts evidence the trend of mind of this Security League's colossal egotist. The American people have not forgotten the sacrifice of our forefathers and do not accept Van Tyne's opinion regarding John Adams's "lack of grasp" or of "credulous colonists," including Washington, or the "sententious piety" and "hypocritical zeal" of Gen. Charles Lee, whatever his shortcomings, or of the "tyrannical power" of Washington, Henry, and other "Whig oppressors" of that day. However, it remained for Van Tyne to discover Tories were the real "patriots," occupying positions "so potent" for good or ill of our "cause."

Another Security League "educational director" and corporation cook of canned patriotism is Buttercup R. McNutt McElroy, whose name parted in the middle and position as bumboat woman of this modern Pinafore crew will not be challenged. R. McNutt is a strange composite of Don Quixote and the windmill. On April 6, 1918, he was sent out as a missionary by this Security League corporation of New York to the wilderness of Wisconsin in a desperate effort to save the old Badger State from wandering Indian and German tribes.

McNutt talked in Madison to university students, and then he returned to New York City, where he immediately hunted up a newspaper reporter, true to league instincts, and gave his impressions of the wild West. He said, back in New York, that while orating in Madison he was received with inattention, and so he "deliberately insulted them and called them a bunch of damned traitors." This is McNutt's statement—in New York. Fortunately no one in Madison heard McNutt, whose name explains matters, otherwise he would have been ducked in the lake on April 6 by rain-soaked students, who are no respecters of persons when "deliberately insulted."

Mr. Speaker, the Wisconsin University, second to none in learning or patriotism in the country [applause], sent to France over 1,500 students, in addition to several thousand alumni, fighting for our flag. Wisconsin has had 115,000 men in military service and furnished three regiments of the Thirty-second Division that won the title of "Les Terribles" from the French for their bravery in battle. [Applause.] These are the people McNutt insulted when he reached a safe distance. According to his extravagant eulogy of himself, in "Who's Who," McNutt was once in a training camp at Plattsburg, but never got nearer than 3,000 miles of the French battle line. [Applause.] Like all other "league" patriots, he stayed by his "security" fireside. [Laughter.]

Returning to the Madison incident, the undisputed facts, supported by statements of many reputable men sitting on the same platform, show that on April 6, 1918, several hundred cold, rain-soaked students were kept for over an hour while patriot McNutt read a long, tedious, sophomoric effort.

His talk passed without incident. Not until he reached a New York reporter, over 1,000 miles away, did he "deliberately insult" his audience or call the students a "bunch of damned traitors" for their lack of appreciation. A statement was prepared on behalf of the university by Chief Justice Winslow, a jurist of high standing in the country; President Charles R. Van Hise, one of America's leading educators; and Dean Birge, all joining in a report, submitted with a large volume of testimony, setting forth substantially that Robert McNutt McElroy first committed an asinine act in saying to a New York reporter that he "deliberately insulted" an audience he was permitted to address; second, he deliberately falsified the facts according to hundreds of people present; and, third, he maliciously refused to correct his false statements which were later approved by the libellous New York "security" league. Nothing fixes dishonest and unpardonable methods more than a statement issued by its officers based on McNutt's unsupported word that they indorsed McNutt's report "without qualification" and as "absolutely exact."

Lieut. Litchfield West, executive secretary of the Pinafore crew outfit, is an old salt, according to "Whos Who," belonging to several Washington golf clubs before he struck a patriotic job in New York. [Laughter.] His military title was gained on the staff of a Washington paper and his record as a conspicuous Washington lobbyist merits special investigation when the small fry of this \$1,200,000 annual expense crew is probed. I wish I could repeat what has been told me within the hour on this floor about this man. I can not state it here, but if it is true it ought to stamp him forever as a man of more than doubtful reputation. Lloyd Taylor, another "chairman," wrote every individual Member November 28, several days ago, demanding "views at the present time" on compulsory military training. Lloyd and Claude and McNutt and Orth and the major are keeping strict tab on the American Congress. Who foots their bills, and why?

Charles D. Orth, "chairman of the congressional committee," is a commission man and "importer," the nearest to a military commission he has come, and while a handler of cold-storage goods and director in oil corporations with foreign connections, Orth was selected to send insolent letters to Congressmen. Orth greased the way for a "loyal Congress," commanded the American Congress to report to him within 10 days as to its individual qualifications for Congress and its opinions and aspirations, under threatened penalty of league condemnations and of "widespread publicity." Members of Congress are curious to see this pompous oil peddler at close range. [Laughter.] Other patriots appear on the security league executive staff whose innumerable corporate connections are certain to be kept in mind when fixing standards of "loyalty."

From blue-sky land companies to Skyland Sox, incorporated; from alkali and apollinaris water corporations to sugar beets and copper and cotton oil that are listed among war profiteers; from rosin and oil to western chemical, western power, and waterproofing corporations; from directorships on a score of railways, United States steel, and insurance corporations to real and on-paper mining companies in this and other countries; all these will be fruitful subjects for a probe when the home guard of the security league, incorporated, answers roll call.

Brief illustrations noted indicate the league's bombast and cowardly innuendo when the false libellous "chart" on the American Congress was given to the press.

So, too, Van Tyne rushed to the newspapers with his false screed on Creel. Again, McElroy hotfooted to the newspapers with his false and wicked libel on the University of Wisconsin, and in like manner Lydecker first gave to the press his open letter addressed to Speaker CLARK. Childlike he petulently and maliciously said I was "a pacifist or worse." Anyone who resents the cowardly, underhanded attacks of these men, whether made on Congress or upon individuals, is a target for poisoned arrows and branded by this vicious group of irresponsibles as disloyal.

Mr. Speaker, my own record of military and patriotic service is not now important, and yet may not suffer by comparison with any of the blustering bunch of league egotists, but it is the "league" and not Congress that now requires the probe. Its operations and excuse for existence will be of interest to the public that for many weeks has been surfeited with "28 tons" of bombastic boiler-plate "literature." "Lectures, boiler plate, and loyalty" are its watchwords. Not one-tenth of 1 per cent of all our millions of soldiers in France or on the seas or in American camps, or of the citizenship of the country generally, ever heard of a security league corporation lecturer or waded through a paragraph of its 28 tons of boiler-plate literature "printed in 1,400 papers." While recognized influences have helped crystallize public sentiment in the country, patriotism and sacrifice, individual and national, are inherent in our people, who courageously but silently serve, leaving extravagant flag waving and canned loyalty essays to such leagues. Of insignificant value, as a promoter of patriotism, no organization in the country has given more distinct aid and comfort to the enemy than this New York corporation, which has published to the world the infamous charge that the American Congress is disloyal. Prating of patriotism, the corporation furnished to the country a striking evidence of irresponsible abuse of public men and of disloyalty to a common Government in which all live and serve.

In a remarkable pamphlet from the pen of a remarkably frank man of nation-wide note, Congress is advised that in America we have "our military imperialists, our banking imperialists, our political imperialists, our munition-making imperialists, our nationalist imperialists, our security leagues and Navy leagues, just like Germany's; and all of them have this in common: From the war they desire results quite other than those sought by the people who did the fighting."

Congress is entitled to know what interests and what individuals stand behind these men, what real purpose is covered up by over \$1,000,000 in annual expenditures and 28 tons of boiler-plate patriotic camouflage, and what punishment can be awarded public-character assassins, who more than all other agencies in the country combined have sought to foment distrust, discord, and division among our people and to excite the suspicion of the world against our public officials. The country asks for the facts and, so far as lies in its power, Congress should furnish them.

I quote from a letter dated New York, October 12, 1918, from a business man of that city, whose grasp of public questions and keen observations of men and conditions greatly impressed me upon our first meeting in New Orleans, and thereafter in this city and elsewhere. He travels every year throughout the

country, from New York to San Francisco, and covers nearly every State in his travels. A letter from his business office on "Wall Street," within the shadow of the Subtreasury Building, of less than 30 days ago, reads: "Your last resolution has surely stirred up the country. * * * In my wide travels throughout the United States I have met men in the smokers, lobbies, and diners of the so-called 'Security League.' Without exception I have found them undemocratic, always fearing the 'masses,' and afraid of 'popular rule.' Whenever I met one of these gentlemen I was reminded of Russian 'chinoviks' and Prussian Junker. Without exception they were narrow-minded and, furthermore, they never impressed me with sincerity. This 'disloyalty' issue of theirs already has its reaction. The American plain people are wise to them. I spoke to farmers from your own State, as well as those from Utah, Nebraska, Dakotas, Iowa, Illinois, and New York. I spoke to workmen all over the country. The general impression is gathered that this loyalty and patriotism issue is terribly abused for selfish reasons, and the suspicion falls heavier on the accuser than on the accused."

Even some business men on Wall Street are growing "wise" to these self-annointed patriots.

A letter received from a soldier at the front dated November 1 says:

The National Security League and similar leagues are not receiving much attention from the boys that are lying up here a couple of miles in the shell holes hoping to God the next "one" isn't a direct hit. They want this war over, and they are watching the men that are supporting them and getting the food up to the line and getting their full allotment of cartridges. The superpatriots and grand-stand artists aren't heard of much.

Mr. Speaker, it can not fairly be charged I have personal grievance against this league, except in common with my colleagues, who would draw the fangs of a venomous snake that strikes without warning. Although its poison was spread through my district in advance and alienated some friends, I defeated the only "loyalist" candidate by nearly two to one in the primary, and in the recent election my majority of over 15,000 votes out of 19,000 votes cast was the highest ever given in that district. [Applause.] This verdict was rendered by a constituency whose patriotism and intelligence is unimpeachable, whose boys at Chateau-Thierry, after losing 60 per cent of their effectives in killed, wounded, or missing, won their battle against the defeated shock troops of the Kaiser. [Applause.] I am proud of the confidence of that people, and now that the purpose of investigation can not be charged to efforts to influence the election, now when the House can probe deliberately, let this "league" make good before the country.

What more need be offered in support of an investigation than facts I have presented to you, showing a small coterie of unscrupulous men, acting under a libel-proof corporate name, have challenged the patriotism of hundreds of Representatives and of 47 States. Giving dishonest, widespread publicity to "wrong votes" on war and against preparedness, their query sent into congressional districts of those marked for sacrifice was "what are you going to do about it?" This challenge of the patriotism of the people was expected to and did influence tens of thousands, who did not question false "acid tests" offered by a "security league," and when followed by flamboyant announcements that a campaign would be waged for a "loyal Congress" the disloyalty charge was widely accepted by many men. Capitalized by ambitious candidates, political opportunists, and personal enemies, these infamous charges resulted in bitter campaigns and defeats of high-minded, patriotic Representatives in close districts, who are branded for life as disloyal men.

Heretofore I offered a resolution proposing an investigation be held by the Judiciary Committee. Because of the liberty-loan campaign and following general election I was advised not to press the investigation. For that reason no hearings have been asked nor held and no steps taken other than data collected, which will be presented to the proper committee. On advice of different Members and without questioning the earnest efforts of a regular committee it has been urged that a small committee, composed of Members appointed by the Speaker selected for this special work, would be able to give time and investigation to charges submitted, not practicable with a large committee having other responsible and regular duties. Committee quorums and direct procedure might best be served by a small special committee, and for that reason I have offered a more comprehensive resolution of investigation to include the "Security League" and other so-called patriotic organizations that were active in the recent congressional campaign. To that end I have asked for a special committee of nine members, possessed with powers similar to those held by the committee that probed

the St. Louis riots, to be appointed by the Speaker, to conduct this investigation. I trust the House will support the resolution.

Questions of power of the House to act and of precedents have been considered. It may be said that if no precedents are had whereby to investigate wholesale charges of disloyalty lodged against a majority of the Members of this House by an organization that has libeled prominent men and public officials from one end of the country to the other, a slandering corporation compared to which Lawson is a child in arms, then it is time that the House makes precedents or that we abdicate the positions we now hold.

Charges of disloyalty at any time can not be lightly made, and when made in trying times of war such charges must be investigated, and if proven untrue the libeler should be punished. Unless we vote to purge ourselves of the charge by bringing before us those who have laid the indictment we may well be subject to public distrust. Are we untrue to our oaths of office and to our country? A slanderous New York corporation has so charged. Are we cringing politicians, influenced solely by policy? These contemptible lip loyalists so advertise us to the country. Are we afraid to face political black hands who traduce us? Judged by unchallenged misrepresentation they must so believe. Are we prepared to meet our accusers and test out the testers? Our action here will be the answer.

Collateral questions regarding the composition of the "league," its purposes and activities, how financed, and whether, as alleged, it is a \$1,200,000 annual bombastic self-exploitation organization are all unimportant matters compared with the one specific charge that a majority of Congress is disloyal. No precedent need be asked in compelling the presence of witnesses who have so declared. In asking for an investigation I make the following specific charges, which, I believe, can be substantiated by a thorough probe.

Mr. Speaker, I charge that the National Security League, a New York corporation, as organized, is used as a convenient cloak for lawless libelous attacks on public men without resulting financial responsibility or accountability, and that the name of "National Security" was selected in an effort to invite public confidence in the propaganda and activities of its organizers.

That such corporation alleges it is organized "with 38 State branches," a "membership of over 100,000, including 200 branches in cities and towns," a speakers' bureau "of 1,000 volunteer speakers cooperating with Government authorities in Washington," a weekly "editorial news and cartoon publicity service supplied to 1,400 newspapers," has supplied "nearly 30,000,000 pieces" of "war literature," and "has placed 250,000 war maps in schoolrooms throughout the country," that this league has supplied "over 28 tons of literature and boiler-plate matter," and has an admitted annual expense bill of \$1,200,000 per annum, all of which is evidence of the unrestrained power and influence possessed by the corporation's officers and agents.

That said corporation selected eight votes or measures before Congress, only one since the declaration of war, and caused to be published broadcast throughout the country a false statement that such votes were a test of loyalty and Americanism.

That said corporation, while falsely representing the character and effect of votes, urged the people of the country to defeat approximately 300 Representatives in Congress, whom it has politically blacklisted as disloyal, and that pursuant to such recommendation its agents went into different districts during the 1918 campaign to aid in the defeat of proscribed Congressmen.

That said corporation further caused to be published throughout the country a list of 47 States, which were declared to be wrong, un-American, or disloyal, according to percentages based upon the votes in Congress cast by Representatives from such States.

That in its June, 1918, bulletin said corporation published a statement saying—

The league is planning nonpartisan cooperation with the Democratic and Republican congressional campaign pledged to support the war. The entire force of the league's 281 branches and its membership of over 100,000 patriotic American citizens will be thrown into this campaign for the election of a loyal Congress.

That said corporation, by the use of money, letters, telegrams, pamphlets, literature, its officers and agents, directly and through associated leagues, entered into the political campaigns of 1918 and actively attempted to defeat for renomination and election Representatives in Congress who had been publicly branded by it as disloyal and un-American.

That no statement of contributions or expenditures used in efforts to defeat Representatives has been filed with the Clerk of the House by said corporation, under the Federal corrupt-practices act, and no statement of activities of the league or of its contributions or expenditures for political purposes have been filed under laws of the several States.

That, according to "league literature," Elihu Root, Alton Parker, and Charles Lydecker, attorneys at law, are officers of said corporation and as such officers took active part in the congressional campaigns of 1918 for the election of a so-called "loyal Congress" and as such officers are directly responsible for the publication and circulation of charges made against the loyalty of Representatives in Congress and for efforts to secure the defeat of such Representatives.

That R. McNutt McElroy, an officer of said corporation, falsely and maliciously through the public press libeled the students of the University of Wisconsin, many of whom have died in France for their country, and in his unprecedented action, after a full presentation of the falsity of his charges, he was upheld and indorsed by the corporation's officers and agents.

That said corporation has published throughout the country that the league has secured and placed on file the names of 44 Senators and 174 Representatives in Congress who are pledged to vote for compulsory military training irrespective of treaty provisions hereafter to be signed by the belligerent nations, and that such pledges have been secured without regard to terms of peace in this war, possibility of a league of nations to enforce permanent peace, or international agreement to disarm.

That the said corporation has published many tons of propaganda demanding compulsory military training and during time of war inspired unwarranted criticism of the President, Secretary of War, and of Congress by such campaign and propaganda.

On information received from brother Representatives in Congress it is charged, on information and belief, that a thorough investigation of public and secret records of the National Security League, a New York corporation, will disclose large contributions for its support made by business interests known as war profiteers and intended for the publication of propaganda and political legislative business advancement of such interests.

That said league is a powerful irresponsible New York corporation, arrogant and un-American in its methods, a slanderous libel on the patriotism of our public officials and of our citizenship, inimical to the best interests of the country, and has done more to create public discord and unwarranted suspicions and a division among a patriotic people than any other single agency.

I submitted the resolution this morning and urged its early adoption by the House. [Prolonged applause.]

This is the resolution, which I send to the Clerk's desk to have read.

The Clerk read as follows:

Resolved, That a committee of nine Members be appointed by the Speaker of the House to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purpose of the National Security League, a corporation of New York, and of any other political or patriotic organization, league, or association that purports to be organized or engaged in or has been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year 1918.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by such leagues or associations, and if so by whom and upon what information, testimony, or record, and whether such charges are true; and shall ascertain whether such league, leagues, or other organizations that may be investigated have complied with the provisions of State and Federal laws in the filing of expense accounts; and shall inquire and ascertain such other matters concerning said league or leagues or other organizations which, in the judgment of such committee, may be found proper; and for the purposes aforesaid the agents, clerks, or employees of such committee shall have power to demand and receive for inspection and use of the committee all books, records, documents, and papers whatsoever belonging to such league or the individual members thereof concerning its activities, and the committee shall have power to send for papers, books, records, and documents and to enforce their appearance and administer oaths.

Said committee is also hereby authorized and empowered to require witnesses to answer all questions propounded by any member thereof touching the investigation ordered and require any witnesses called before it to testify fully as to any information in his possession, whether in the nature of hearsay testimony or otherwise, at such places as it may decide upon, as well as in the city of Washington, pursuant to the purpose of this resolution, and shall have the power to report at any time.

Mr. HARRISON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. FREAR. I will if I have time; certainly.

Mr. HARRISON of Mississippi. I wanted to ask the gentleman a question. There were eight so-called acid tests, I believe, applied by the Security League. In these tests, I think, if I correctly recall them—I read them at the time—one was on the Kahn amendment on the volunteer system. They put that test, but they failed to give the vote of those men who, while they voted for the volunteer system, afterwards voted for the selective-draft bill on its final passage.

Mr. FREAR. Yes. It was a dishonest and miserable misrepresentation of the record by the Security League, as the new

Senator from Mississippi well implies. I thank the gentleman for the suggestion.

Mr. HARRISON of Mississippi. And again, as I recall, one of the acid tests was the Cooper amendment to the armed-neutrality bill, but they made no mention of the fact that those men who may have voted for the Cooper amendment to the armed-neutrality bill, but who finally, on the passage of the armed-neutrality bill, voted for it.

Mr. FREAR. That is equally true, and the gentleman has fastened it down completely. That was another deliberate falsification of the record by the Security League, as will be demonstrated on an investigation.

Mr. HARRISON of Mississippi. And again, if I recall, there was an amendment offered by the gentleman from New Jersey [Mr. BROWNING] which they made one of the acid tests—

Mr. FREAR. There was an amendment offered by Mr. KAHN in the House and by Mr. BRANDEGEE in the Senate.

Mr. HARRISON of Mississippi. But Mr. BROWNING offered a motion to recommit the naval bill that had been formulated by the Naval Committee, and which carried an increased annual appropriation of upward of \$100,000,000. They applied that as a test, while nothing was said at all as to the vote on the final passage of the naval bill.

Mr. FREAR. That is an illustration of the disreputable methods of this Security League. The gentleman is again correct about that vote.

Mr. HARRISON of Mississippi. And again, I understand that there was another acid test applied, where an amendment was offered by Mr. KAHN to the military bill to increase the Regular Army, I believe, from 178,000 to 250,000. They applied that as the acid test, but said nothing about those who had supported an amendment in the same bill that brought into the Federal Army the National Guard, comprising approximately 425,000 men.

Mr. FREAR. The gentleman is right about that. And beyond that fact it was stated upon the floor by members of the Military Committee that the passage of the Kahn amendment would hopelessly confuse at that time the military program which had the approval of the President, and also would promote sergeants, as I now remember, to pay beyond that received by commissioned officers.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. FREAR. Certainly. I am glad to yield to our distinguished party leader.

Mr. MANN. The gentleman will excuse me, because I want to get a little information about matters which I ordinarily would know about.

Mr. FREAR. I shall gladly give it if able to do so.

Mr. MANN. Owing to the advice of my physicians last summer I took no part in the campaign and did not keep track of what was going on during that time. Do I understand the gentleman to say that this league endeavored to influence the nomination of Members of Congress?

Mr. FREAR. It did; directly, in many cases.

Mr. MANN. And the election of Members of Congress in various States of the Union?

Mr. FREAR. Yes; it expressly so declares in its literature. Directly, in many cases. I have stated this before on the floor, and I have evidence of their efforts which will be offered to the committee that investigates.

Mr. MANN. I ask the gentleman for information.

Mr. FREAR. Yes; most assuredly this league did seek to influence in many cases.

Mr. MANN. In the different States?

Mr. FREAR. Oh, yes, indeed, in many States I could name.

Mr. MANN. I understood the gentleman to say that the Security League had not made any return of its expenses or receipts under the so-called publicity act.

Mr. FREAR. That is my understanding, unless it has made the return very recently.

Mr. MANN. I have always made the return myself in my own case, and I do not remember now that I ever had occasion to look up the penal section of that law, but I assume that there is some penalty.

Mr. CALDWELL. One thousand dollars fine and a year in jail.

Mr. FREAR. There certainly is a strong moral obligation to report, whether legally imposed or not.

Mr. MANN. If the gentleman is correct in what he said, I should think that the Department of Justice might very well investigate not only the corporation but the officers of the corporation.

Mr. FREAR. There is a moral obligation, no matter what the exact legal obligation is, a matter of possible interpretation,

when a league of this kind, with \$1,200,000 in its hands, circulates these anonymous and dishonest statements, attacking the loyalty of this Congress.

Mr. MANN. Because if a political party having a regular organization selected in a public manner is required to make these returns, an anonymous body created by itself certainly ought to be compelled to live up to the law. [Applause.]

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. FREAR. Certainly.

Mr. McCULLOCH. In the analysis that the gentleman expects to place in the Record with regard to the eight test votes, has the gentleman pointed out the fact that in referring to the votes cast the league in its propaganda and literature which it sent out absolutely misstated what was before the House?

Mr. FREAR. I stated that particularly, and called attention to the gentleman from Ohio's remarks made on the floor several weeks ago, which were very pertinent, when he analyzed and exposed the malicious misrepresentation of the record by this league.

Mr. McCULLOCH. For instance, I should like to ask him if he called attention to this particular thing: In referring to the Kahn amendment, which was an amendment to eliminate the volunteer feature of the conscription bill as reported—

Mr. FREAR. Yes; that was the effect.

Mr. McCULLOCH. This league in referring to the Kahn amendment said:

This amendment provided for the raising by conscription of the necessary army to give effect to the declaration of war.

The amendment was nothing of the kind.

Mr. FREAR. The gentleman is absolutely correct. The statement of the league, in my judgment, was willfully false.

Mr. McCULLOCH. It was an amendment to eliminate the volunteer feature.

Mr. FREAR. That was all. The gentleman is correct.

Mr. McCULLOCH. Therefore the league has misstated the facts and has held up to public contempt the Members of this body upon a misstatement of the facts.

Mr. FREAR. Absolutely so; and I am asking for an investigation to find out who is responsible, and the purpose behind the league. Mr. Speaker, it has been suggested to me by several Members during this discussion that I ask unanimous consent for the immediate consideration of the resolution.

Mr. GARRETT of Tennessee. What is the resolution?

Mr. FREAR. I will ask to have it read.

Mr. GARRETT of Tennessee. Let it be reported, and let us see what it is.

The SPEAKER. The Clerk will report the resolution.

Mr. MANN. Mr. Speaker, is it to be reported or read for information?

Mr. FREAR. First read for information.

The SPEAKER. Read for information.

The Clerk read as follows:

House resolution 464.

Resolved, That a committee of nine members be appointed by the Speaker of the House to investigate and make report as to the officers, membership, financial support, expenditures, general character, activities, and purpose of the National Security League, a corporation of New York, and of any other (political) or patriotic organization, league, or association that purports to be organized or engaged in or has been directly or indirectly engaged in the nomination, election, or defeat of Representatives in Congress during the year 1918.

Said committee shall also inquire and ascertain whether charges affecting the loyalty of Representatives in Congress have been made by such leagues or associations, and if so, by whom and upon what information, testimony, or record, and whether such charges are true; and shall ascertain whether such league, leagues, or other organizations that may be investigated have complied with the provisions of State and Federal laws in the filing of expense accounts; and shall inquire and ascertain such other matters concerning said league or leagues or other organizations which in the judgment of such committee may be found proper, and for the purposes aforesaid the agents, clerks, or employees of such committee shall have power to demand and receive for inspection and use of the committee all books, records, documents, and papers whatsoever belonging to such league or the individual members thereof concerning its activities; and the committee shall have power to send for papers, books, records, and documents, and to enforce their appearance and administer oaths.

Said committee is also hereby authorized and empowered to require witnesses to answer all questions propounded by any member thereof touching the investigation ordered and require any witness called before it to testify fully as to any information in his possession, whether in the nature of hearsay testimony or otherwise, relative to the inquiry ordered; and the committee may hold hearings at such places as it may decide upon, as well as in the city of Washington, pursuant to the purpose of this resolution, and shall have the power to report at any time.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object—

Mr. KITCHIN. I will ask the gentleman from Wisconsin to withhold that and bring it up to-morrow.

Mr. GARRETT of Tennessee. Let it go to the committee.

Mr. HARRISON of Mississippi. There will be no objection to it.

Mr. FREAR. I am perfectly willing, Mr. Speaker, and I withdraw my request. It was offered, as stated, at the suggestion of several Members during the last few moments. I would prefer to have it regularly acted upon by a committee.

I append two brief statements, in which a personal request was first based.

Letter from the Security League of New York given to the press, as follows:

SEPTEMBER 23, 1918.

Hon. CHAMF CLARK,
Speaker of the House of Representatives,
Washington, D. C.

DEAR SIR: Representative FREAR, of Wisconsin, on the floor of the House has to-day asked for an investigation of the National Security League by the House Judiciary Committee. We welcome any investigation deemed proper by your honorable body and will gladly supply the fullest information.

As to the source of the demand for this investigation, it is only necessary at the present moment for me to call attention to the fact that Mr. FREAR voted against the declaration of war, against the Kahn amendment, which made possible the selective-draft system, and for the McLemore and Cooper amendments, which, it is now admitted, voiced the essence of pacifism, if nothing worse.

Yours, very truly,

CHARLES E. LYDECKER, President.

Also a brief editorial:

[Extract from New York Tribune of Oct. 1, 1918.]

It is true that the National Security League has been denounced in Congress. This was done by Representative FREAR, of Wisconsin, whom the league opposed for reelection because he had voted against the declaration of war and against the Kahn amendment, which was essential to the selective draft, and for the notorious McLemore and Cooper amendments, thereby failing to stand the "acid test" stipulated for by President Wilson. So much for FREAR.

Hearst attacks the National Security League for a similar reason, namely, that it has denounced his disloyalty.

I also append a brief analysis of the eight test votes submitted by the Security League, in which Representative McCULLOCH on October 2 last gives a complete demonstration of the falsity and misrepresentations contained in the league's public chart. This chart was given to the press and used as a basis for the charge of disloyalty against Representatives, which I have discussed:

I shall analyze the eight propositions in the order in which they are mentioned in the circular.

"No. 1. The circular says: 'McLemore resolution, March 7, 1916. This resolution was to the effect that American citizens should forego their natural, legal, and constitutional rights to travel on the high seas.'"

The McLemore resolution came before the House of Representatives about one year and one month before the declaration of war. The circular marks me as voting "wrong" on the McLemore resolution. It does not say what is meant by voting "wrong," but attempts by the language used to leave the inference that I favored the McLemore resolution. The facts are, as I announced at the time, that I would not vote for the McLemore resolution under any circumstances, because I was opposed to its provisions. I did not vote for it, but I voted not to table it, in order that a full and complete discussion of the subject of warning American citizens of the dangers of traveling on armed vessels of belligerent countries should have been had, as the President requested. Had the McLemore resolution not been tabled, and had it come to a direct vote without amendment, I would have voted against it, and I so stated at the time, as the CONGRESSIONAL RECORD will show, and I so stated in every speech I made during my last campaign.

"No. 2. The circular says: 'Kahn amendment to the Hay Army bill, March 23, 1916. This amendment sought to increase the Regular Army to 178,000 or more, nearly approaching the recommendation of the General Staff of the Army.'"

No such amendment was ever introduced by Mr. KAHN or anyone else. The circular marks me as voting "wrong" on such an amendment, which it says was considered over a year before the declaration of war. The Committee on Military Affairs reported the Hay Army bill unanimously from the committee, which provided for increasing the Regular Army to 140,000, as recommended by the Secretary of War. During the consideration of the bill Mr. KAHN, of California, a Republican, offered an amendment increasing the number to 220,000, which amendment was defeated by a vote of 82 to 155, by tellers, in the committee. Before voting on the bill, Mr. MANN, of Illinois, asked unanimous consent for a record vote on the Kahn amendment, which is no doubt the amendment the circular is trying to refer to, and the vote was taken on the amendment, and it was defeated by 213 to 191.

The circular evidently approves voting for this amendment. Such a vote was an antiadministration vote, as the administration approved the bill as reported and was opposed to the amendment, which, it was argued on the floor, would hopelessly complicate the Army bill. I voted against the amendment, as it was my policy to support the committee, which had investigated the requirements and which was backed by the War Department and its experts.

"No. 3. The circular says I voted 'wrong' on the 'Brandeggee amendment to the Hay-Chamberlain Army bill, April 18, 1916. This amendment provided for an Army of 250,000 as against 140,000.'"

When the Hay Army bill was returned to the House from the Senate on May 8, 1916, almost a year before the declaration of war, objection was made to this increase because it was contrary to the recommendation of the War Department and the Committee on Military Affairs of the House. It was claimed that its language would provide for a large number of very high promotions for Army officers. The amendment was defeated by a vote of 222 to 141. I voted against the amendment. The circular approves voting for the amendment, which was voting against the administration and the recommendation of the War Department.

"No. 4. The circular says I voted 'wrong' on 'section 56,' providing for a volunteer reserve army wholly under Federal control, April 18, 1916."

This amendment was considered almost a year before the declaration of war, and was an amendment intended to destroy the National Guard and State Militia by substituting a volunteer army, composed of not to exceed 600 officers and men from each congressional district. I was appealed to by the National Guard of the State of Ohio to oppose this amendment. It was contended that our State had spent millions of dollars developing the National Guard in Ohio. A large proportion of the National Guard of the United States, including the Ohio National Guard, was on the Mexican border at the time this amendment was considered. It was claimed that if this amendment, known as section 56, were adopted, it would complicate the military situation. The President vigorously opposed this amendment, and it was known as an antiadministration amendment. I voted against the amendment, and the circular approves a vote for the amendment.

The amendment was defeated by a vote of 251 to 109 on May 8, 1916 (CONGRESSIONAL RECORD, p. 7691). The National Guards of the various States have furnished close to 500,000 men in the present crisis, trained and experienced, and after the splendid record of the Rainbow Division, the soldiers of which represent almost every State in the Union and which is on the battle front at this very hour rendering conspicuous service, of which the whole Nation is proud, I do not believe that anyone need apologize for opposing the destruction of the National Guard.

"No. 5. The circular says I voted 'wrong' on a 'motion to recommit the naval appropriation bill June 2, 1916.' This motion was designed to instruct an increase in the Navy beyond what was provided in the original bill."

The naval appropriation bill of 1916 was taken up by the House on May 27, 1916, almost a year before the declaration of war (CONGRESSIONAL RECORD, p. 8783), providing for increased appropriations for the Navy. The bill was reported with the approval of the Navy Department after extended investigations by the Committee on Naval Affairs. This committee had spent weeks on the bill with the assistance of the Navy officers and experts. The House, in Committee of the Whole, had been considering the bill for days, and just as the House was ready to vote on its final passage Mr. BROWNING, of New Jersey, moved to recommit the bill with instructions to increase the amounts of the various items approximately \$56,000,000, which meant asking the House to accept without consideration or explanation changes in the bill, the effect of which would have been to destroy the work of the committee and the Navy Department. The chairman of the Committee on Naval Affairs vigorously opposed the motion. It was distinctly an antiadministration motion, and so understood by everybody, and it was defeated. I voted against it. The circular approves voting for it.

"No. 6. The circular says I voted 'wrong' on the 'Cooper amendment, March 1, 1917.' This amendment was designed to prohibit to American ships their legal right to carry arms or ammunition in their cargoes."

The statements in the circular as to the provisions of the Cooper amendment are entirely contrary to the facts. The Cooper amendment was as follows:

"Provided, That no ship of American registry, armed in the manner aforesaid, shall carry cargo consisting in whole or in part of arms or ammunition consigned to a belligerent country or to a citizen thereof."

This amendment was offered to the armed-neutrality bill, for which bill I voted. The armed-neutrality bill was intended, according to statements made by the President, as the last step toward keeping this country out of war. The Cooper amendment proposed that we should not arm ships to carry munitions of war to belligerent countries. He argued that to arm ships for such a purpose was an act of war. Mr. FLOON, chairman of the Committee on Foreign Affairs, while the Cooper amendment was being considered, said:

"I do not believe that the President intends to convoy merchant vessels that carry munitions of war or to supply guns and ammunition to such vessels. Good international lawyers contend that to convoy a vessel loaded with arms and ammunition is an unlawful act; that it is an act of war."

Under the circumstances I voted for the amendment. The amendment was defeated, and I then voted for the armed-neutrality bill.

"No. 7. The circular says I voted 'right' on the declaration of war against Germany, April 5, 1917."

I voted for the declaration of war.

No. 8. The circular says I voted "wrong" on the "Kahn amendment to the conscription act, April 23, 1917. This provided for the raising by conscription of the necessary army to give effect to the declaration of war."

There never was a more false or misleading statement made than this statement, attempting to define the terms of the Kahn amendment. The Kahn amendment proposed to strike out the provisions of the conscription bill authorizing the President to call for volunteers. The conscription bill, reported by the Military Affairs Committee of the House, and which was being considered in Committee of the Whole, when the Kahn amendment was proposed, authorized the raising of an army both by conscription and by volunteers. Had the volunteer provisions not been struck out of the bill we still would have had conscription and the President would have had the additional authority to call for volunteers, which the War Department did in fact, under the law. There was no proposal to my knowledge at any time made to eliminate the conscription provisions of the bill. This vicious circular would have people believe that those who voted not to strike out the volunteer provisions of the bill were against the necessary army "to give effect to the declaration of war." In other words, everyone who had an idea contrary to that of the National Security League is disloyal.

I voted for conscription, and I also voted for the provision authorizing Roosevelt to organize and utilize the hundreds of thousands of volunteers he had already enrolled who were ready for active service. I believed that the President should have the power to call for volunteers if he saw fit to do so, and I therefore voted against the Kahn amendment, which took that power from him; but it is interesting to note that in spite of the hostility of the National Security League to volunteers that volunteers have been accepted by the War Department right along in all of the various branches of the service, and that there are now in the service thousands upon thousands of men who were volunteers and accepted as such.

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask to what committee the resolution put by the gentleman from Wisconsin was referred?

The SPEAKER. The Chair directed the gentleman to put the resolution in the basket, and the Chair will refer it to the Committee on Rules.

PROPERTY OF UNITED STATES IN CHARGE OF THE DOORKEEPER (H. DOC. NO. 1532).

The SPEAKER laid before the House a letter transmitting an inventory of all property belonging to the United States in charge of the Doorkeeper of the House, which was ordered printed and referred to the Committee on Accounts.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was given leave of absence for the day, on account of illness.

SANATORIUM FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12917.

The SPEAKER. The gentleman from Florida moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of House bill 12917.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The CHAIRMAN. When the committee rose last evening general debate had been concluded. The Clerk will now read the bill for amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I observe that this bill is not divided into sections. Will it be considered by paragraphs, or what will be the method in considering it?

Mr. CLARK of Florida. I was going to ask unanimous consent that the bill be read and considered by paragraphs.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the bill be considered by paragraphs and not by sections. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the United States is authorized to acquire by gift a tract of land suitable for the purpose, of not less than 1,000 acres, in or adjacent to the city of Dawson Springs, Hopkins County, Ky., or in Caldwell County, Ky., adjacent to the city of Dawson Springs, Ky., or in Christian County, Ky., adjacent to the city of Dawson Springs, Ky., for the purpose of erecting a sanatorium for the treatment of persons discharged from the military and naval forces of the United States and persons who are now or hereafter may be beneficiaries of the United States Public Health Service; such sanatorium to be of a capacity of not less than 500 beds. There is hereby appropriated the sum of \$1,500,000, out of any moneys in the Treasury not otherwise appropriated, for the construction of such sanatorium, including the necessary buildings with their appropriate mechanical equipment and approach work and roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, with all necessary furniture and equipment for the above; and an additional sum of \$350,000 is hereby appropriated for operation and maintenance of the same for the fiscal year ending June 30, 1920.

The following committee amendments were read:

Amendment No. 1: In lines 4 and 5, on page 2, strike out the words "there is hereby appropriated."

Amendment No. 2: In line 4, on page 2, capitalize the letter "t" in the word "the."

Amendment No. 3: In the lines 5 and 6, on page 2, strike out the words "out of any moneys in the Treasury not otherwise appropriated" and insert in lieu thereof the words "is hereby authorized."

Amendment No. 4: In line 13, on page 2, strike out the word "appropriated" and insert the word "authorized."

The committee amendments were agreed to.

Mr. DOWELL. Mr. Chairman, I offer the amendment I send to the desk.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I have an amendment to strike out the enacting clause of this bill. Does not that have precedence over any other amendments?

The CHAIRMAN. That is true. The Chair is under the impression that the rule is—though the Chair has not looked it up lately—where a bill is being considered by special rule under an order of the House a motion to strike out the enacting clause is not in order. The Chair would be glad to hear any argument or suggestion on the question.

Mr. GRAHAM of Illinois. I think it is in order at any time. However, I have not the precedents, but will look them up. My idea in proposing the matter at this time was that if such a motion was proper, and if carried, there would be no necessity in discussing further amendments.

The CHAIRMAN. The gentleman would be correct about that.

Mr. MANN. The Chair will recollect that the rule does not provide for the consideration of this bill. The rule only provides that it shall be in order to move in the House to go into Committee of the Whole House on the state of the Union for the consideration of the bill. Of course, that places the bill in the position that any bill would occupy where a motion was made at any time for its consideration in Committee of the Whole.

The CHAIRMAN. The rule provides for the consideration of the bill in Committee of the Whole, but the House must first decide to go into the Committee of the Whole by vote.

Mr. MANN. The rule as printed was amended, and I do not know whether the Chair has the rule as adopted. The rule printed was not the rule adopted by the House.

The CHAIRMAN. The rule provides for the consideration of the bill in Committee of the Whole under the five-minute rule for amendment. The Chair finds in volume 4 of Hinds' Precedents, page 219, section 3215, this statement:

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. On March 26, 1897, the House was in Committee of the Whole House on the state of the Union considering the bill (H. R. 379) to provide revenue for the Government and to encourage the industries of the United States, under the terms of a special order, which provided:

That general debate shall continue on said bill during each day until 5 o'clock p. m., and at evening sessions, to which a recess shall be taken, to be held from 8 o'clock till 11 o'clock p. m., until and including Thursday, the 25th of March, unless sooner concluded; that from the conclusion of general debate until the 31st day of March there shall be debate upon the said bill by paragraphs, and during this time the bill shall be open to amendment as each paragraph is read, but committee amendments to any part of the bill shall be in order at any time.

Before the Clerk began the reading of the bill Mr. Samuel W. T. Lanham, of Texas, proposed to make the motion to strike out the enacting words of the bill, as provided in Rule XXIII, section 7:

After debate the Chairman held:

The Chair would like to call the attention of the gentleman from Texas to the reading of the special order under which we are operating. * * * The Chair will hold that under the provisions of the special rule under which the committee is now operating the motion of the gentleman is not now in order.

That was the ruling of the Chairman at that time under the special rule.

Mr. MANN. Mr. Chairman, I think that ruling was absolutely correct but that is not the situation before the committee now.

The CHAIRMAN. Of course—

Mr. MANN. There was a rule specifically providing for a certain length of time for amendments. Now, this rule we are operating under provided first that it should be in order to go into the Committee of the Whole House on the state of the Union. That motion has been carried, and we are in the Committee of the Whole House on the state of the Union. The rule provides that at the conclusion of such general debate the bill shall be considered for amendment under the five-minute rule. As a matter of fact, the motion referred to by the Chair under the ruling cited apparently was made before the bill was read for amendment. Now the bill is being read for amendment, and the motion to strike out the enacting clause is an amendment.

The CHAIRMAN. May the Chair ask the gentleman this question? This rule provides that this bill shall be considered under the five-minute rule for amendment. Now, if the motion which the gentleman from Illinois proposes to make, to strike out the enacting clause, should prevail, would that give an opportunity to consider the bill under the five-minute rule as completely as intended by the rule adopted by the House? The Chair would like to have the judgment of the gentleman.

Mr. MANN. It does not say anything about that. It is being considered for amendment, and if the committee should agree to that amendment of course that ends it so far as the committee is concerned at the time, unless the House should decide on its being reported back to the House that it would not agree to the amendment; but the bill is now being read for amendment under the rule, and the motion to strike out the enacting clause is an amendment like any other amendment, except it takes precedence over other amendments.

Mr. SAUNDERS of Virginia. Mr. Chairman, with respect to the point of order that has been raised I would like to say a few words. It is perfectly competent for a special rule to provide for the abrogation or modification of any existing rule or rules with respect to consideration of a bill in the Committee of the Whole. Hence with respect to the consideration of any particular bill, if it is insisted that the rule abrogates any existing rule, we should look to the rule itself to ascertain whether any such provision of abrogation is found therein. The effect of the rule in this case is simply to expedite consideration by the Committee of the Whole of this particular bill. The rule merely operates to put this bill into the Committee of the Whole for the purpose of consideration under the five-minute rule. The motion to strike out the enacting clause, so far as its par-

liamentary effect is concerned, is action. It is a preferential amendment. If this committee chooses to vote favorably upon the motion, then that is action on the part of the committee. It is for the committee to say whether it will take that action. The bill is before us. It has been expedited in its passage to the Committee of the Whole by the force of the rule, and yet the rule does not by its terms abrogate any existing rule for the consideration of this particular bill in the Committee of the Whole. It is still subject to the general rules provided for the consideration of a measure of this character in the Committee of the Whole. Hence it seems to me that the motion of the gentleman is in order whatever may be the action by the committee on the motion itself. The precedent cited by the Chair construed the rule affecting the consideration of that particular bill. That precedent does not establish any general rule. It merely holds that under the rule in that case the motion to strike out the enacting clause was not in order at the time it was sought to be made. The Chair distinctly declined to say that the motion would not be in order at a later stage of the consideration of the bill before the committee.

Mr. DOWELL. Mr. Chairman, I was recognized for an amendment which I desired to have read. I had the floor and submitted an amendment to the Clerk, and he was just about to read the amendment before the question was raised. I ask to have that amendment read.

Mr. GRAHAM of Illinois. Mr. Chairman, the gentleman is wrong—the parliamentary inquiry is still pending.

Mr. DOWELL. But the gentleman can not take me off my feet to make that inquiry. I was in the act of presenting the amendment.

The CHAIRMAN. The Chair thinks really the gentleman offered a preferential amendment, and, of course, on a parliamentary inquiry he would be entitled to have the amendment considered first.

Mr. MANN. He would not be entitled unless he got recognition.

The CHAIRMAN. The gentleman is correct. The Chair thinks that he did recognize the gentleman from Iowa, and the gentleman from Illinois rose to a parliamentary inquiry, and the Chair submitted this statement as found in Hinds' Precedents, and the Chair thinks, in fairness to the gentleman—

Mr. GRAHAM of Illinois. Mr. Chairman—

Mr. GARRETT of Tennessee. Mr. Chairman, does the gentleman from Illinois desire to offer his amendment?

Mr. MANN. I did not offer an amendment.

Mr. GARRETT of Tennessee. Well, the motion to strike out the enacting clause, Mr. Chairman, is in order. There is no doubt about it.

Mr. DOWELL. Is it in order while I have the floor to present an amendment?

Mr. MANN. It has not been presented.

Mr. GARRETT of Tennessee. Then who threw the monkey wrench into the machinery?

Mr. MANN. That is the question.

Mr. GRAHAM of Illinois. Mr. Chairman, as I understand, the parliamentary inquiry has been answered, and I now offer a preferential amendment—

The CHAIRMAN. But the gentleman has not the floor yet.

Mr. GRAHAM of Illinois. I understood I had.

The CHAIRMAN. The gentleman offered a parliamentary inquiry.

Mr. DOWELL. Mr. Chairman, I ask to have my amendment read, and then I will yield the floor to the gentleman from Illinois.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. DOWELL. Page 1, line 3, strike out all of lines 3, 4, 5, 6, 7, 8, and line 9 down to and including the word "Kentucky," and insert in lieu thereof the following: "That the United States is authorized to acquire by purchase or otherwise a tract of land to be selected by the Secretary of the Treasury in either of the States of Colorado, New Mexico, Arizona, or Texas suitable."

Mr. GARRETT of Tennessee. I make the point of order on that amendment.

Mr. GILLET. What is the point of order?

Mr. GARRETT of Tennessee. The bill provides they shall acquire by gift. The amendment provides the Government shall acquire by purchase.

Mr. DOWELL. Mr. Chairman, the point of order is not good for the reason that the amendment provides that it may be acquired by purchase or otherwise. It may be by gift and it may be by purchase.

Mr. WALSH. Will the gentleman yield?

Mr. DOWELL. And that is not the question that is to be determined here. It is a question here of establishing a sanatorium. That is the question. And the amendment merely re-

lates to the location of a sanatorium. That is all that the amendment undertakes to change.

Mr. WALSH. Will the gentleman from Tennessee yield?

Mr. GARRETT of Tennessee. Yes.

Mr. WALSH. Does the gentleman contend that the House is powerless to strike out in line 1 the word "gift" and insert the word "purchase"?

Mr. GARRETT of Tennessee. Yes; I think so.

Mr. WALSH. I notice that the gentleman has difficulty in keeping his countenance straight in answering that.

Mr. GARRETT of Tennessee. I think any germane amendment is in order.

Mr. DOWELL. Does the gentleman think that purchase is not germane to the question involved in this paragraph?

Mr. GARRETT of Tennessee. I think when the Government can acquire a thing by gift it ought to take it in that way.

Mr. DOWELL. It is not a question of order?

Mr. GARRETT of Tennessee. Now, I want to talk seriously for a moment to the gentleman. The only purpose that the Committee on Rules had in presenting this rule was to make this bill in order under the general rules of the House. The bill provides that the Government may acquire by gift. I do not think that a proposition to purchase or to authorize the Government to purchase is germane to a bill that provides for the acquisition by gift. Have I answered the gentleman or not?

Mr. GOOD. Will the gentleman yield there?

Mr. DOWELL. You have not answered the question, because this bill has for its purpose the securing of land for the purpose of establishing a sanatorium. That is the purpose of the bill. It has no other and different purpose. Now, the Government can establish whatever method it sees fit to secure the land wherever it may secure it and in a different place from that suggested in the bill if it so desires.

Mr. GARRETT of Tennessee. Oh, surely; any place can be named.

Mr. DOWELL. Does the gentleman contend that because a proposition is presented that a tract of land may be secured by gift that the Congress would be powerless to amend the bill and provide for the purchase of a tract of land in another place for the purpose for which the bill was introduced?

Mr. GARRETT of Tennessee. Yes, sir.

Mr. SAUNDERS of Virginia. In addition to the point of order raised by the gentleman from Tennessee [Mr. GARRETT], I would like to suggest that this amendment comes within a number of precedents to the effect that when there is a single distinct proposition before the House, that proposition may not be amended by the addition of other distinct propositions.

The gentleman from Iowa [Mr. DOWELL] stated that this was a proposition to acquire property by gift or purchase. I do not find that language in the bill. This is a proposition to acquire certain indicated property by gift.

Mr. WALSH. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WALSH. Does not the gentleman see that this does not add to but simply enlarges the field for selection?

Mr. SAUNDERS of Virginia. But you can not enlarge the field for selection without making an addition to the bill. That is what I am objecting to.

Mr. WALSH. If the gentleman would think about it seriously, he would not make that contention.

Mr. SAUNDERS of Virginia. I have been thinking about it seriously. This is a proposition to which you can not add other distinct propositions. It is competent to amend this proposition, but not in the fashion proposed. When it is proposed to bring in additional States, you are providing for additional action to that proposed in the bill. You are not modifying the distinct proposition submitted. You are adding other and alternative propositions. It is the same thing as if it was proposed by amendment to acquire by gift another site in another State.

Mr. Chairman, this is a matter that has been ruled upon so often that I do not think it calls for elaborate discussion. I simply desire to call the attention of the Chair to a time when he was presiding, and when he announced precisely the proposition that one individual proposition may not be amended by another individual proposition even though the two belong to the same class.

Various other chairmen have announced the same principle on other occasions. It is not a question of the amendments that we would like to propose to this bill, but it is a question of what under the precedents we can do in a parliamentary way. The inquiry whether the rule precludes consideration of the proposed amendment is the only inquiry that we need pursue. We have established the boundaries on our power of action in the House, and in the Committee of the Whole by the rules, and the decisions expounding those rules. There are many prece-

dents in point. It has been held that to a bill proposing to admit one Territory into the Union, an amendment admitting another Territory is not germane. To a bill for the relief of one individual, an amendment proposing similar relief for another is not in order. To a resolution providing a special order for one bill, an amendment to include another is not in order. To a provision for the extermination of the boll weevil, an amendment including the gypsy moth was excluded on a point of order. To a provision for a clerk for one committee, an amendment for a clerk to another committee was held out of order. To a bill prohibiting transportation of messages relating to dealing in cotton futures, an amendment adding wheat, corn, and so forth was held out of order. See as to above Manual of Rules, section 778. There are many other and more recent decisions all to the same effect, and grounded upon the principle that the amendments proposed are not germane. A specific subject may not be amended by a provision general in its nature, even when of the class of the specific subject. See section 778, (b).

This is a proposition to acquire for the Government "by gift a tract of land suitable for the purpose of not less than 1,000 acres in or adjacent to the city of Dawson Springs, Hopkins County, Ky., or in Caldwell County, Ky., adjacent to the city of Dawson Springs, Ky., or in Christian County, Ky., adjacent to the city of Dawson Springs, for the purpose of erecting a sanatorium." It is a distinct proposition to acquire by gift certain territory adjacent to Dawson Springs, in the State of Kentucky. Whenever you propose to bring in Virginia, or Iowa, or any other of the States, what is that but an effort to bring in a new, distinct proposition?

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. WALSH. I think the gentleman from Virginia was a Member of the House at the time a ruling was made to the effect that a bill providing for an interoceanic canal by one route could be amended by providing a different route.

Mr. SAUNDERS of Virginia. I am familiar with that ruling, and I have used that precedent time and time again.

Mr. WALSH. Is not that the ruling here in point?

Mr. SAUNDERS of Virginia. No. That was a case of stress in which a ruling was made for a particular situation, and contrary to the precedents. It has never been followed, so far as I am aware. I have cited that precedent on this floor time and time again, in the effort to liberalize the rule of the precedents on the matter of germaneness. In my contention that this rule should be enlarged and liberalized I have used the very precedent that the gentleman has cited, but the Chair has uniformly disregarded it. There is a great body of precedents confirming and supporting the position that I have taken. Some of these have been cited. I will refer to another, namely, the ruling as to germaneness made in connection with a bill relating to grains that was reported by the committee of which the gentleman from South Carolina is chairman. In that ruling the Chair cited a great body of precedents, and did not regard the precedent cited by the gentleman from Massachusetts [Mr. WALSH].

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Certainly.

Mr. McKENZIE. I do not want to discuss the parliamentary phases of the question, but I would like to ask the question: Suppose we passed this bill and the people of this territory adjacent to the city of Dawson Springs, Ky., failed to make the gift to the Government of the United States—

Mr. SAUNDERS of Virginia. Yes.

Mr. McKENZIE. Failed to make the gift of the land necessary on which to construct the sanatorium. Then could the Government of the United States proceed with the building of this sanatorium?

Mr. SAUNDERS of Virginia. Decidedly it could not.

Mr. McKENZIE. Is it not a fact that the whole sum and substance of this bill is wrapped up in the one proposition of enacting legislation in order to enable the Government of the United States to accept a gift?

Mr. SAUNDERS of Virginia. To do that specific thing, as a condition precedent to building a sanatorium. If we can not secure that land by gift, then the whole effort to establish this particular enterprise fails. That is all there is to this proposition.

As I have said, this is purely a question of parliamentary law and of precedent, a question of keeping our precedents straight. The principle controlling the decision of the point of order raised against this amendment is supported by a great volume of uniform and accordant decisions.

Mr. BANKHEAD. Mr. Chairman, it may not be deemed desirable to call the Chair's attention to the proposition just discussed by the gentleman from Virginia [Mr. SAUNDERS], but if

the Chair will refer to section 778 of the Manual he will find there a precedent on this proposition:

One individual proposition may not be amended by another individual proposition, even though the two belong to the same class."

It seems to me right there is probably a precedent clearly in point.

Mr. WALSH. Mr. Chairman, of course the gentleman from Alabama [Mr. BANKHEAD] is in error in contending that the amendment offered by the gentleman from Iowa is attempting to substitute another individual proposition, and if he will read the amendment offered he will see that there is no such intention or purpose in the gentleman's amendment. This amendment does not add anything, but it simply provides that instead of taking one site at Dawson Springs, in Kentucky, this one sanatorium shall be established at one point in one of four different States.

Now, it seems to me that the decision in Hinds' Precedents, section 5900, is on all fours with the situation presented here. In that case, as the gentleman from Virginia admitted, it was held that to a bill to provide for a canal by one route an amendment could be offered to construct a canal at another place by another route. He states that that precedent has not been followed. He will find that it has been followed in several different instances, and in one instance in particular, where a bill was offered to amend a general law in specific instances, and an amendment proposing to repeal the whole law was held germane.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. WALSH. Yes; I will yield.

Mr. BANKHEAD. Does not the gentleman think this is somewhat analogous to a situation that might arise if we had under consideration a public-building bill, and moved to amend the bill by providing for another public building in some other State?

Mr. WALSH. Oh, of course not.

Mr. BANKHEAD. The same principle would apply.

Mr. WALSH. Oh, no.

Mr. DOWELL. I can answer the gentleman's question. You can amend the bill by providing that the building shall be erected in another place than that designated in the bill. This is not for the establishment of another sanatorium, but it is for the establishment of the sanatorium provided for in this bill at a different place than that designated in the bill, and that is all there is to this amendment.

Mr. BANKHEAD. An entirely different location, in a different State?

Mr. DOWELL. Yes.

Mr. WALSH. But that was the canal proposition. It was the same canal in a different location, and that was held to be germane. I imagine the same water would pass through it. I simply want to direct the attention of the House to the fact that that ruling has been followed several times; and knowing the disposition of the present occupant of the chair, I know that he will not be at all bewildered by an argument that the precedent has been established but has not been followed.

Mr. GREEN of Iowa. Mr. Chairman, my friend from Virginia [Mr. SAUNDERS] is almost always logical and accurate, but in this particular case it would seem to me that he is neither. He has talked about the precedents that he could produce. Unfortunately he has not produced any. I should be glad to have him furnish them, and I have the book of rules in my hand. If he cites any of them, I am quite confident I can show a clear and plain distinction, which will be recognized even by my friend. Having started out wrong, I hope he will not finish wrong. The logic of his argument would be that if it had been provided in the first place in this bill that the building was to be made of brick and somebody should offer an amendment that it should be made of wood instead, or that it should be made of brick and wood, the amendment would not be germane, and therefore would be inadmissible. That would be exactly where we would come out. I know of no such precedent. I looked over these precedents some time ago. I have not had an opportunity to look over them recently, but if there is anything that would exclude the amendment of my colleague I do not know what it is, and I do not think there is any such precedent.

The CHAIRMAN. The Chair begs to state that this bill now before the committee provides for the building of a sanatorium at Dawson Springs, Ky., and the land can only be secured at Dawson Springs, Ky., by gift. There is no provision in the bill saying that this land can be purchased; so that if the people of Dawson Springs, Ky., should conclude after the bill has become a law that they would not give the Government this land, then, in the opinion of the Chair, it would not be possible

to establish the sanatorium there without further legislation, because it says that it must be acquired by gift and that the land can only be secured in that way. The amendment proposed by the gentleman from Iowa says that this sanatorium may be established in either the State of Colorado, New Mexico, Arizona, or Texas by purchase or otherwise. The Chair begs to state that so far as he has been able to ascertain from a brief time spent in looking up the precedents this is the only one where it was proposed to offer an amendment to give away public land, and the Chair at that time held that that was not in order. That decision is found in Volume V of Hinds' Precedents, paragraph 5877. The point of order was made on January 20, 1859, by Mr. Cobb, of Alabama, and the decision was rendered by Speaker Orr, of South Carolina.

The Chair believes that the citation made by the gentleman from Alabama [Mr. BANKHEAD] in reference to an amendment adding another territory to a bill providing for one territory was not in order applies only indirectly to this amendment.

Mr. WALSH. Will the Chair permit an inquiry?

The CHAIRMAN. Yes.

Mr. WALSH. Would the Chair hold that because this provides for acquiring title by gift a motion to strike out the first paragraph would not be in order?

The CHAIRMAN. The Chair would not hold that a motion to strike out the first paragraph would not be in order. The Chair begs to state that, however foolish it may seem, before a bill is completed it is not out of order to move to strike out anything in the bill. The Chair believes, in the view he takes of this amendment, that if this bill should pass with this amendment in it the Secretary of the Treasury might go to either one of these States and if he was unable to secure the land otherwise than by purchase the sanatorium would not be built, and then that would compel the purchase of ground upon which to place the sanatorium, so that it would change the entire scope of the bill as now proposed, which is specifically to provide for the establishment of the sanatorium by gift. Under these circumstances, the Chair thinks that the amendment of the gentleman from Iowa would not be in order.

Mr. DOWELL. Mr. Chairman, I desire to offer another amendment.

Mr. STEENERSON. Mr. Chairman, I should like to offer an amendment.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. DOWELL. I move to strike out all after the word "acres," in line 5, on page 1, down to and including the word "Kentucky," in line 9.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. DOWELL moves to amend by striking out, on page 1, line 5, all after the word "acres" down to and including the word "Kentucky," in line 9.

Mr. GRAHAM of Illinois. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. As I understand it, the amendment which I have mentioned, and which has been discussed—to strike out the enacting clause—will be in order at any time while the bill is open to amendment.

The CHAIRMAN. The Chair will state that it is in order at any time up to the time the bill is completed.

Mr. STEENERSON. Mr. Chairman, I offer my amendment as a substitute for the amendment of the gentleman from Iowa.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 1, strike out all of lines 5, 6, 7, and 8 and the first three words of line 9 and insert in lieu thereof the following: "100,000 acres of the national forest bordering on Tuck Lake and Cass Lake and Lake Winnibegoshish, in Minnesota, or so much thereof as may be required, be set aside."

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against the substitute.

Mr. DOWELL. Mr. Chairman, I want my amendment read as I desire to have it. I have put it in writing and I have sent it to the desk.

The Clerk read as follows:

Amendment offered by Mr. DOWELL—

Mr. STEENERSON. Mr. Chairman, I object to changing the amendment after I have offered a substitute to it.

The Clerk continued the reading:

Page 1, line 5, after the word "acres," strike out all of the words following down to and including the word "Kentucky," line 9, and insert in lieu thereof the words "in either of the States of Colorado, New Mexico, Nevada, or Texas."

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against that amendment.

Mr. STEENERSON. I make the point of order that he can not amend it after he has offered it and after I have offered a substitute. It is now a new proposition.

Mr. CLARK of Florida. I have the floor, and I make a point of order against that amendment which has just been ruled out by the Chair. It is substantially the same amendment. I made the point of order, the Chair heard arguments on it, and held that it was not in order.

Mr. STEENERSON. Will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. STEENERSON. The gentleman from Iowa is trying to amend his amendment to which I have offered a substitute.

Mr. GARD. Mr. Chairman, is there a point of order made against the substitute offered by the gentleman from Minnesota?

The CHAIRMAN. The gentleman from Iowa offers an additional amendment. The gentleman from Iowa offered his amendment verbally from the floor, and then the gentleman from Minnesota asked recognition and offered a substitute for that amendment. Then the gentleman from Iowa having reduced his amendment to writing sent it to the Clerk's desk, which modifies his former amendment. The Chair understands that the gentleman from Minnesota objected to the modification of the amendment, and the Chair holds that the amendment can not be modified except by unanimous consent.

Mr. CLARK of Florida. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Florida. What right has the gentleman from Iowa to recall his amendment and change it?

The CHAIRMAN. He has not the right without unanimous consent.

Mr. CLARK of Florida. Then I object.

The CHAIRMAN. The gentleman from Minnesota has already objected.

Mr. CLARK of Florida. I am raising the question now that the gentleman can not modify his amendment.

The CHAIRMAN. The Chair has so stated.

Mr. CLARK of Florida. And I make the point of order further against the amendment as originally offered and also against the substitute.

Mr. STEENERSON. On the question of the substitute I desire to address the Chair.

Mr. CANNON. Mr. Chairman, I understand this to be the practice of the House: The gentleman from Iowa offered an amendment. A point of order, I believe, was made on that amendment and sustained. Then the Chair recognized the gentleman from Iowa to offer another amendment. The gentleman from Iowa was entitled to the floor. The gentleman from Minnesota comes in and offers a substitute for that amendment. It seems to me that the gentleman from Iowa is entitled to the floor until he addresses the committee on his substitute. I am not aware that he yielded the floor, and therefore the gentleman from Minnesota is not in order.

Mr. STEENERSON. The gentleman from Iowa abandoned his first proposition and offered a new one.

Mr. CANNON. Yes; but in offering the new proposition he is entitled to withdraw the first.

Mr. CLARK of Florida. Not without unanimous consent.

Mr. CANNON. Yes; he can withdraw it without unanimous consent.

The CHAIRMAN. The Chair begs to state, as he understands it, that the gentleman from Iowa was recognized to offer an amendment, which he did verbally. Then the gentleman from Minnesota gained the floor and offered a substitute. A point of order was made against both the amendment and the substitute. The gentleman from Iowa had taken his seat and then again sought recognition for the purpose of modifying his amendment, and sent a written amendment to the Clerk's desk, which was read, and the gentleman from Minnesota objected to the modification. So, under the rule, the gentleman from Iowa was not permitted to modify his amendment, as that can not be done except by unanimous consent.

Mr. CANNON. If the Chair will indulge me, the first amendment of the gentleman from Iowa, being subject to a point of order, disappeared.

Mr. STEENERSON. It was subject to a point of order and was struck out.

Mr. SAUNDERS of Virginia. Mr. Chairman, the amendment which the gentleman from Iowa offered in the first instance was not subject to a point of order, because it was a simple motion to strike out. The gentleman from Iowa then sought to modify this amendment, and to this action on his part, objection was

made. Hence so far as the gentleman from Iowa is concerned, all that is before the House is his motion to strike out, which is in order, and upon which a vote can be taken in due course. The gentleman from Minnesota then obtained the floor and offered a substitute for the motion to strike out.

Mr. STEENERSON. And it includes the striking out and insertion of new matter.

Mr. SAUNDERS of Virginia. To this substitute of the gentleman from Minnesota the gentleman from Florida [Mr. CLARK] made a point of order. The matter immediately in hand, therefore, is the determination by the Chair of the point of order raised by the gentleman from Florida.

The CHAIRMAN. The gentleman from Virginia is correct about that.

Mr. STEENERSON. Mr. Chairman, I would like to address the Chair on the subject of the point of order. The gentleman from Florida has made a point of order against the substitute. I do not believe he knows what the substitute is. The amendment offered by the gentleman from Iowa simply struck out certain lines describing the location of this proposed hospital and my substitute strikes out the same lines and inserts in lieu of the matter stricken out another location in the State of Minnesota. Now, that is clearly a motion to strike out and insert, and the proposition already decided does not come in here at all, because the United States Government has 300,000 acres in this location that it owns in its own right and could put up any hospital there that it wants to and use as much land there as it wants to without gift or purchase. Now that, I contend, is a motion to strike out and insert and clearly in order upon this bill and I would like to discuss it.

Mr. WALSH. Mr. Chairman, the motion was to strike out. You can not offer a motion to strike out and insert for a motion to strike out. You can vote on the motion to strike out, and then offer a motion to strike out and insert, but you can not substitute a motion to strike out and insert for a motion to strike out.

Mr. LAZARO. Mr. Chairman, is it in order to move to strike out the last word and get five minutes?

The CHAIRMAN. It is not.

Mr. LAZARO. While the Chair is making up his mind.

The CHAIRMAN. The Chair is ready to make up his mind. The Chair begs to state that the amendment offered by the gentleman from Minnesota proposes to strike out all of lines 5, 6, 7, and 8 and the first three words of line 9 and insert in lieu thereof the following: "One hundred thousand acres of the national forest bordering on Tuck Lake and Cass Lake and Lake Winnibigoshish, in Minnesota, or so much thereof as may be required, be set aside." Now, the Chair thinks this bill provides for the location of a sanatorium at Dawson Springs. That is a particular point. The Chair thinks it would be in order to change the location of the same sanatorium and believes that this provides only for a change of location, not for the buying of any land but that it shall be established where the Government buys no land, and the Chair begs to call the attention of the committee to the fact that in the case of the canal decision, which has been quoted here many times, that it was in order to change the location of a canal, and therefore believes this amendment is in order and overrules the point of order.

Mr. CLARK of Florida. Mr. Chairman, one thing, if the Chair will permit me. I want to call the attention of the Chair to the fact that this amendment proposes, if the Chair will read it carefully, to strike out all of lines 5, 6, 7, 8, and to and including the word "Kentucky," in line 9. Now, at the end of line 4 is the word "one." Then it proposes to insert "100,000 acres," which would make it read "one 100,000 acres," and which is a proposition to have the Government buy land already owned by the Government. It is an absolutely impossible amendment, and that was my idea in making the point of order.

Mr. STEENERSON. That is going to the merits of the proposition.

Mr. CLARK of Florida. This is an amendment which is utterly impossible, not only not germane, but impossible of performance, because there can not be—

Mr. STEENERSON. But the Chair has ruled upon the question.

Mr. CLARK of Florida. But the Chair permitted me to say a word. I would not have undertaken to do it without the Chair's consent. I asked the permission of the Chair, and I want to say that was the main purpose I had in making the point of order, that it was an amendment which was perfectly impossible. Why, it is an amendment, Mr. Chairman, that would be absolutely impossible of performance, because it provides that the Government of the United States, if it should be written into this act, should acquire by gift a tract of land

suitable for the purpose of not less than one 100,000 acres of land, whatever that means, already belonging to the Government. Now, how can the Government acquire by gift property, which it already owns? The thing would be nonsensical, would be utterly impossible to carry out. For that reason I had insisted, Mr. Chairman, and do insist that the amendment is absolutely out of order upon the ground, if for nothing else—

Mr. STEENERSON. But that goes to the merits of the proposition, the correctness of the language.

Mr. CLARK of Florida. It does not.

Mr. STEENERSON. I desire to say in answer to the gentleman from Florida—

The CHAIRMAN. The Chair thinks the amendment is in order and overrules the point of order.

Mr. STEENERSON. Mr. Chairman, the report of this bill sets out that the main reason for its location in Kentucky at this place is that there is a mineral spring there and that that water is very similar to that water at Carlsbad, in Bohemia; that it is good for Bright's disease and disease of the kidneys, and that is the main reason. Here is what they said at the hearings:

Mr. CANTRILL. In further answer to the question asked by the chairman of the committee as to why this sanatorium is recommended to be located at Dawson Springs, as I understand it, it is not only because of the location of the land and the fact that it is suitable for buildings and all that sort of thing but because of the peculiar curative powers of the springs located there. That is one of the main reasons, is it not?

Dr. BANKS. That is one of them; yes, sir.

Mr. BURNETT. For diseases other than tuberculosis?

Dr. BANKS. Yes.

Mr. CANTRILL. Which would make this particular place appeal to your department above other locations?

Dr. BANKS. We have a great many of the organic diseases like Bright's disease coming out of the Army, and rheumatic affections, and the water there at Dawson Springs, Ky., is practically the same as the Carlsbad water in Bohemia, is very efficacious as a steady drink in cases of that kind.

Mr. CANTRILL. And the chemical composition of this water at Dawson Springs is identical with the Carlsbad Springs, as I understand it?

Dr. BANKS. Yes; practically so.

Mr. MANSFIELD. It is not warm water, is it?

Dr. BANKS. No; it is not specially warm. It is drinkable or potable water, and very pleasant, so far as the temperature goes.

Now, everybody knows the location of this place that is familiar with geography. It is only about 600 or 700 feet above sea level, not very far distant from the Ohio and Mississippi Rivers, and it is subject to malaria and miasma. True, it is on a ridge, but swamps and sloughs are all around it. It is a wild country. Now, who in the world ever thought that soldiers acquire kidney trouble while in the service of the Government? Kidney trouble is a sickness that comes from sedentary habits. It might affect swivel-chair officers here in Washington, but it would not affect the men in the trenches. The soldiers who have been in active service and contracted tuberculosis are not troubled with kidney disease.

And the fact that Carlsbad is a place resorted to by the aristocracy of Europe when they drink too much or eat too much or take too little exercise affords no argument for our putting a sanatorium for tuberculosis at this point. The State of Minnesota has the most salubrious climate in the world. You can see in the Statistical Abstract that the death rate in Minnesota is lower, both in the rural population and urban population, than in any other place. The death rate in 1912 in Kentucky was 17 to the thousand, where it was only 9 or 10 in Minnesota.

The State of Minnesota, in cooperation with the university, and the health service of the State, has located a tuberculosis hospital near Leech Lake, at Walker. It has been in operation for several years. It was selected and located there under the advice of the State board of health and the medical staff of the university, including Drs. Mayo, of Rochester. It was selected because it is the best place in the world for the treatment of that disease. There is a pine forest all around for miles and miles. The United States Government owns there 300,000 acres of national forest. It has not parted with the title. The tuberculosis sanatorium of the State of Minnesota is right near the Minnesota National Forest. This large tract of land, covered with virgin pine, is located right near Cass Lake, Lake Winnibigoshish, and Leech Lake. The patients, if they recover, will have an opportunity to work in that region. We propose to build roads there, and we have to use men there as forest rangers in the great pine forests of that region.

I believe you can not find a better place in the United States or on the American continent for a tuberculosis hospital than right there in that region where Minnesota has placed this one. They have 200 patients and in the neighborhood of 800 acres of land. If you provide for as many patients as proposed in this bill, in the neighborhood of 15,000 or 20,000 acres will

be needed. You want land enough where they can enjoy the advantages of a park. The proposed location is right in the vicinity of the celebrated State park of Minnesota, at the headwaters of the Mississippi, including Lake Itasca. The Government has the land for the site, the location is the best, and we could not do better than adopt the amendment.

Mr. CLARK of Florida. Mr. Chairman, I am willing that there may be a little hilarity now and then, but I sincerely hope gentlemen will not vote for an amendment of this character. It will simply mean to destroy the bill. There is absolutely no evidence here that this place has ever been examined with a view to locating a hospital there of this character. There is abundant evidence here by the medical authorities of the Government that this place has been examined—Dawson Springs—and has been determined upon by them as the best location for the character of hospital which they propose to establish.

Now, if gentlemen desire to defeat the bill—

Mr. GILLET. Will the gentleman yield?

Mr. CLARK of Florida. For a question only.

Mr. GILLET. Can the gentleman cite us to any report of the medical board he speaks of that will say that this is the best place?

Mr. CLARK of Florida. I can cite the gentleman to the testimony of Col. Banks. It is in the hearings. I cited it yesterday.

Mr. GILLET. That it is the best place in the country?

Mr. CLARK of Florida. The best place they have been able to find, and they have been looking for places all over the country. They visited a number of them, and this was the best they have been able to find for this kind of hospital. That is the testimony in the record, and the gentleman can read it.

Mr. STAFFORD. Will the gentleman point out where there is such testimony? I have not been able to find it.

Mr. CLARK of Florida. There is such testimony.

Mr. STAFFORD. Will he point it out?

Mr. CLARK of Florida. No. You can find it in the record. But I am not going to have my time taken up—

Mr. MADDEN. Will the gentleman yield?

Mr. CLARK of Florida. I decline to yield.

Mr. MADDEN. It is a matter for information.

Mr. CLARK of Florida. I absolutely decline to yield at this time.

Mr. MADDEN. All right.

Mr. CLARK of Florida. Now, Mr. Chairman, the importance of this matter was set forth in the letter which I shall ask to have put in later; but I want to call attention to one or two extracts from the Assistant Secretary of the Treasury. When we called upon him to know something of the urgency of this matter, he said this:

It is noted that you request information as to the necessity for the early passage of this bill, and you are advised that the facilities furnished by the various marine hospitals for the accommodation of beneficiaries of the Government entitled to treatment therein are very nearly exhausted and very few empty beds are now available for these patients.

The number of men already discharged from the Army for tuberculosis alone is over 14,000, and the necessity for additional hospital accommodations is therefore evident.

Mr. CANNON. What is the date of that letter?

Mr. CLARK of Florida. September 24, nearly two months and a half ago, and they have been increasing all the time.

Now, I want to appeal to gentlemen on the other side to drop this petty political play. The boys are suffering for lack of hospital accommodations, and I am appealing to you as Representatives upon the floor of the American Congress to play no politics in so sacred a matter as this. Let us pass the bill.

Another bill is coming. If you succeed in striking out Dawson Springs, and if a bill is passed appropriating a few million dollars to build hospitals, as is contemplated, I want to tell you that the department intends, if they get the power, to put this hospital at Dawson Springs; and you will accomplish nothing if you do succeed in striking it out of this particular bill, because if we carry out our policy to appropriate money to build hospitals over the country, as is intended to be done, one of these hospitals, if the medical authorities have anything to do with their location, will be at Dawson Springs, Ky. There is not any question about it; and I beg gentlemen to vote down this amendment and let this bill be passed as it has been reported by the committee.

Mr. LAZARO. Mr. Chairman, I move to strike out the last word.

Mr. GRAHAM of Illinois. Mr. Chairman—

Mr. LAZARO. I have the floor, I think, Mr. Chairman.

The CHAIRMAN. The Chair has recognized the gentleman from Louisiana.

Mr. LAZARO. Mr. Chairman, I shall vote for this bill.

The purpose of this bill is to provide for the establishment of a sanatorium for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes.

Now that the war is over, it is nothing but right that we should bring these boys who have rendered such valuable service to our country back home as soon as possible and take the best care of them until they have had time to readjust themselves to their surroundings. It is certainly our duty to see that those who have contracted disease in the service shall receive the very best medical attention that the country can afford.

We know that the place in which tuberculosis cases can be taken care of in an intelligent way is in a sanatorium. A sanatorium would not only offer a chance of recovery to these victims, but would naturally furnish a place for the observation and study of this dreadful malady, and thereby save thousands of lives annually. It would also be an institution for the education of the people. The knowledge there obtained by the patients would not only be a benefit to themselves and their families, but to all the people.

It is unnecessary for me to take much of your time in picturing the fearful havoc wrought by tuberculosis. The story has been told often before, and to many of us has a personal bearing. It is a satisfaction to know that after many years of indifference the general public is awakening to the right conception of disease and of the great economic importance of intelligent and systematic measures to control it. It is only in the last few years that the methods of transmission have been well understood. Experience proves that upon popular education we must ultimately rely for the prevention and cure of tuberculosis in this country. Of course, the people can be educated to a certain extent by teachers, publications, and exhibitions; but here, as elsewhere, a pound of practice is worth a ton of theory, and it is in the sanatorium only that the theory is applied in practice.

We are confronted with the plain fact that consumption exists in every city and State in America, and in every country and clime, and that it is no respecter of persons, race, age, or class—that none can claim to be immune. It is a merciless destroyer and may invade any home.

When we recall the fact that millions of dollars are appropriated annually for the health of plants and cattle, and very little in proportion for the conservation of human life, we should pause and think. It is only by prevention that consumption can be controlled, and mainly by hygienic measures that it can be cured. We are spending money freely to bring strangers among us; let us spend a little to save our own people.

The private sanatoria now in operation are doing splendid work, but they are costly and the poor can not enter them. Therefore I hope the day will come when all of our poor consumptives will be offered a place where they can be treated intelligently and cured.

Climate is not an essential or even the most important factor in its treatment. Dr. Norman Bridge, an expert of wide experience and observation, once said that he would rather have a patient under proper conditions in a sanatorium in an eastern city than to send him to some better climate to shift for himself.

Fresh air, rest, and nourishing food in abundance are necessary, and the patient must be faithful and regular in all his habits. We all know that it is practically impossible for him to be so outside of a sanatorium. The fight to cure consumption is a long one in which the carelessness of one day may undo all the benefits of care of the preceding 30 days. When you tell a man to do a thing, you are just half done; the next thing is to see that he does it. We must have competent medical supervision, men of force and intelligence, selected not on account of pull, but strictly on merit.

In conclusion, Mr. Chairman, I wish to repeat that I shall vote for this bill. I think it could be improved upon if we had the time. For instance, my idea is that the location of a sanatorium of this character could be left to a commission composed of experts on tuberculosis to study and report on the construction, cost, equipment, maintenance, and location of a sanatorium before the money is spent. I do not think it is exactly right to locate the sanatorium in the bill carrying the appropriation merely because some community in a Member's district offers to donate the ground. Our Government is not a pauper, and should establish a sanatorium of this kind on the very best ground that can be selected by experts, even if we have to buy this ground. Being that we are pressed for time and that something must be done for these tubercular patients right away, and being that this bill is a step in the right direction, I hope that it will be passed. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. KNUTSON and Mr. WALSH rose.

The CHAIRMAN. The Chair will recognize the gentleman from Minnesota [Mr. KNUTSON].

Mr. CLARK of Florida. Mr. Chairman, I would like to find out if we can not get some agreement as to time. Of course, under the rule I understand there is one five minutes allotted to a side, but I do not want to be at all unfair. I want to see if we can not reach some agreement for debate on this amendment.

The CHAIRMAN. The gentleman proposes a time agreement in the discussion of this substitute?

Mr. CLARK of Florida. On this amendment.

Mr. CANNON. This is the amendment of the gentleman from Minnesota [Mr. STEENERSON]?

Mr. CLARK of Florida. Yes, sir.

Mr. CANNON. Very well.

Mr. CLARK of Florida. How much time would the gentleman like to be heard on it?

Mr. CANNON. I will be entirely frank with the gentleman. I would like to have 15 minutes, but not all upon this amendment.

Mr. CLARK of Florida. I would like to make some agreement by which we can dispose of the bill.

Mr. REAVIS. Mr. Chairman, will the gentleman from Florida yield to me for a moment?

Mr. CLARK of Florida. Yes.

Mr. REAVIS. The suggestion I intended to make to the gentleman from Florida is that there is a prospective amendment to strike out the enacting clause of the bill. If liberal debate could be had on that amendment, it would probably shut off a good deal of debate on other amendments that would probably be offered. Would the gentleman agree to an hour to a side on the motion to strike out the enacting clause?

Mr. CLARK of Florida. I would with the understanding that no other amendments will be offered and the vote be taken finally on the bill.

Mr. CANNON. Oh, no.

Mr. CLARK of Florida. I am going to invoke the rule as strongly as I can if we can not get an agreement.

Mr. MONDELL. I have an amendment that I want to offer, but which would be precluded if the amendment is made to strike out the enacting clause.

The CHAIRMAN. In the absence of an agreement, the Chair will recognize the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, in my opinion there is no necessity for this legislation. I called up the Surgeon General's Office a few minutes ago and was informed that there are to-day in this country 3,410 tubercular soldiers in Government hospitals. There are not to exceed 300 who are not receiving treatment in Government hospitals. The number of tubercular soldiers abroad is estimated at not above 5,000. The Surgeon General's Office proposes to take over Camp Pike, Ark., and turn that into a base hospital for the treatment of tubercular soldier patients. There is nothing to show that the Surgeon General's Office is in favor of this measure, and I desire to call attention to the fact that there are two tuberculosis sanatoriums within 250 miles of the place where it is proposed to locate this sanatorium, namely, Asheville, N. C.

It looks to me as though some one is trying to take home a piece of "pork." This is no time to squander the people's money. We ought to start retrenching at once. We expended, as has been said on the floor of this House, over \$50,000,000,000, or, in other words, \$50 for every minute since the time of Christ, in the war through which we have just passed, and it is now time that we should pare to the bone.

I contend that the location proposed is not a good one. The altitude is only 600 feet above sea level. It is admitted by the friends of the bill that the sunshine there throughout the entire year is only 70 per cent. Why not locate this sanatorium, if one is needed—and I will not concede that one is needed, because the Surgeon General's Office does not—at a point where the altitude is 5,000 or 6,000 feet, and where they have 90 or 100 per cent of sunshine, and where the afflicted soldiers may live in tents? At this place you must erect expensive barracks. At Fort Bayard, N. Mex., they are treating a good many tubercular soldiers at the present time, and many of them live in tents. Under the plan proposed by the gentleman from Kentucky [Mr. KINCHELOE] it will cost \$5,000 per bed—

A MEMBER. Three thousand dollars—

Mr. KNUTSON. To take care of tubercular soldiers. If you care for the soldiers in tents, you can do so for about \$50 or \$75 per bed. Now, we have no right to squander the public money in this way.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. KINCHELOE. Where do you get that information about its costing \$5,000 per bed?

Mr. CANNON. I understand it is \$3,000.

Mr. KNUTSON. It is \$3,000 per bed. Does the gentleman mean to tell this House that it is going to cost \$3,000 per bed to take care of tubercular soldiers where they live in tents?

Mr. KINCHELOE. Are you opposed to spending the money, if necessary?

Mr. KNUTSON. No; but I am opposed to throwing it away. I am in favor of cutting out the "pork."

Mr. KINCHELOE. Then your opinion is not in harmony with the medical opinion of Gen. Blue and Dr. Banks.

Mr. KNUTSON. Oh, I have reason to fear that some of these experts were probably appointed for their political affiliations and not on account of their knowledge or experience.

Mr. KINCHELOE. I will say to the gentleman that he is a good Republican.

Mr. KNUTSON. Oh, he may be one of those "Progressive" Republicans who vote for Wilson every time he runs. [Laughter.]

Mr. KINCHELOE. The Progressive Republicans were greatly in the majority in 1912.

Mr. KNUTSON. Does the gentleman contend that there is need for three tuberculosis sanatoriums within a distance of 250 miles?

Mr. KINCHELOE. Is the gentleman asking that question of me?

Mr. KNUTSON. Yes; I am.

Mr. KINCHELOE. The hearings and the testimony show that there are no available hospitals in any part of that country for discharged soldiers of the Army or men of the Navy.

Mr. KNUTSON. Very well. If the gentleman will introduce a bill to amend the law so that we can take care of tubercular soldiers at Asheville, N. C., and in other Government sanatoriums, I will gladly support it.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that debate on this amendment is exhausted.

Mr. JONES of Texas. Mr. Chairman, I have an amendment by way of a substitute.

The CHAIRMAN. The gentleman from Florida makes the point of order that debate on this amendment is exhausted.

Mr. WALSH. I move to strike out the last two words.

Mr. CLARK of Florida. There have been 20 minutes of debate on this amendment.

The CHAIRMAN. The gentleman has a right to move to strike out the last two words.

Mr. CLARK of Florida. Yes, Mr. Chairman; but I should like to have a ruling on my point of order.

The CHAIRMAN. The gentleman's point is correct, but amendments are in order.

Mr. WALSH. Mr. Chairman, I want to direct the attention of the committee to the statement of the chairman of the Committee on Public Buildings and Grounds [Mr. CLARK of Florida] a few moments ago to the effect that Dr. Banks said that this was the best location in the United States—

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that the gentleman from Massachusetts is not discussing his amendment.

Mr. WALSH. Mr. Chairman, if the gentleman will permit me to complete at least one sentence, he will perhaps see the connection between my motion to strike out the last two words and the pending amendment.

Mr. CLARK of Florida. I will, if the gentleman will discuss his amendment.

Mr. DOWELL. Mr. Chairman—

Mr. CLARK of Florida. I want the Chair to rule on the point of order.

The CHAIRMAN. The gentleman from Massachusetts will proceed to discuss his amendment.

Mr. DOWELL. Mr. Chairman, a parliamentary inquiry.

Mr. WALSH. I decline to yield.

The CHAIRMAN. The gentleman from Massachusetts declines to yield, and he can not be taken off his feet.

Mr. WALSH. I call attention to the fact that the gentleman from Florida [Mr. CLARK] stated that Dr. Banks said this was the best location in the United States. What was actually said was as follows:

Dr. BANKS. I consider it a first-class proposition.

Mr. CANTRELL. You consider it a strictly first-class proposition, and the best one that has been presented to your department?

Dr. BANKS. Well, I will not say the best one, because I have only investigated two or three others. We have had other offers from California and northern New York and one from Minnesota.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that the gentleman is not discussing his amendment.

The CHAIRMAN. The gentleman from Massachusetts will suspend. The gentleman from Florida makes the point of order that the gentleman is not discussing his amendment.

Mr. DOWELL. Mr. Chairman—

The CHAIRMAN. If the gentleman from Iowa will permit the Chair—

Mr. DOWELL. A parliamentary inquiry.

The CHAIRMAN. The gentleman can not make a parliamentary inquiry now. The gentleman from Massachusetts has moved to strike out the last two words. Of course, under the rule he must speak to his amendment.

Mr. DOWELL. Mr. Chairman, I desire to make an inquiry on that one question.

The CHAIRMAN. The gentleman can not make a parliamentary inquiry now.

Mr. WALSH. Mr. Chairman, I move to strike out the section.

Mr. CLARK of Florida. I make the point of order that that motion is not in order when an amendment is pending to perfect the section.

The CHAIRMAN. There is an amendment already pending.

Mr. WALSH. I offer a substitute to the amendment pending, to strike out the words "Dawson Springs" and insert in place thereof the words "Colorado Springs."

The CHAIRMAN. The Chair begs to state that there is a substitute pending.

Mr. CANNON. It is amendable in one degree.

Mr. WALSH. May I ask what the substitute is?

The CHAIRMAN. The amendment of the gentleman from Minnesota [Mr. STEENSON].

Mr. WALSH. May I ask what that is a substitute to?

The CHAIRMAN. A substitute for the amendment offered to the amendment of the gentleman from Iowa.

Mr. WALSH. What is the substitute of the gentleman from Minnesota?

The CHAIRMAN. The substitute of the gentleman from Minnesota is to strike out "Dawson Springs" and to provide for the acquiring of land in Minnesota.

Mr. WALSH. May I ask the Chair to advise me what are the last two words in the substitute of the gentleman from Minnesota?

The CHAIRMAN. The last two words are "set aside."

Mr. WALSH. Mr. Chairman, if we are going to take land out in Minnesota I see no reason why it should be set aside. Neither do I think if we should set that aside, or if we should decide not to set it aside, that the land in Dawson Springs is the best site in the country for this particular purpose. I am wondering if the interest of the gentlemen in Dawson Springs who wish to have this sanatorium established there is at all dependent upon the fact that last summer a hotel in or near Dawson Springs, Ky., was burned and partially or completely destroyed. And I am wondering if the setting aside of this tract in Minnesota in place of this site in Dawson Springs, Ky., is at all connected up with the fact that it is rumored that a New York syndicate has been formed for the purpose of establishing at Dawson Springs, Ky., and setting aside and locating there a certain proportion of that land as a site for a hotel where their friends and stockholders and their neighbors and those whom they can induce may be persuaded to visit that hotel and spend some of their money, and if this site at Dawson Springs is set aside for a Government sanatorium they could advertise that fact to the country.

Mr. KINCHELOE. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. KINCHELOE. I know the gentleman does not want to make any misstatement.

Mr. WALSH. I certainly do not.

Mr. KINCHELOE. I will say to the gentleman that there has been no hotel at Dawson Springs burned. There is a corporation there that is undertaking to build a fine hotel, but it has nothing on earth to do with this proposition. No corporation has any option on this land to be devoted to Government purposes. Those who propose to give the land are not incorporated. They are doing it individually and separately, and those who own stock in this hotel have no more to do with it than the gentleman from Massachusetts.

Mr. WALSH. It will be noticed from the phraseology of the bill that Dawson Springs is "some springs." It wanders about the great Blue Grass State of Kentucky, and apparently is adjacent or appurtenant to three counties in that State, namely, Hopkins County, Caldwell County, and Christian County. I am advised that not in the immediate vicinity of Dawson Springs, perhaps, but somewhere in that neighborhood, a hotel was destroyed partly or completely by fire last summer, or within the past 18 months, and that a New York syndicate is to replace that hotel, or rebuild it, or to construct another one to take

the place of the one that has been destroyed, within hailing distance of where this sanatorium is to be established. Therefore I think the words "set aside" ought to be taken out of the substitute and we ought to set aside the Dawson Springs site.

Mr. JONES. Mr. Chairman, I offer the following amendment to the substitute.

The CHAIRMAN. Does the gentleman from Massachusetts withdraw his pro forma amendment?

Mr. WALSH. Yes, Mr. Chairman; I am willing that my pro forma amendment shall be set aside. [Laughter.]

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas [Mr. JONES].

The Clerk read as follows:

Page 1, line 5, after the word "of," strike out the remaining portion of line 5, all of lines 6, 7, 8, and all of line 9 down to and including the word "Kentucky," and insert in lieu thereof the words "Amarillo, Potter County, Tex., or in Randall County, Tex."

[Applause.]

Mr. CLARK of Florida. Oh, yes; you gentlemen are in favor of anything that will beat this bill. Mr. Chairman, I make the point of order against the amendment on the ground that there is an amendment as a substitute now pending and on the further ground that it is not germane to the bill.

The CHAIRMAN. The Chair thinks that the amendment is in order.

Mr. POWERS. Mr. Chairman, I make the point of order that two amendments are already pending—the Dowell amendment and the Steenerson substitute.

The CHAIRMAN. The Chair begs to state to the gentleman from Kentucky that under the rules of the House there can be an amendment and a substitute with an amendment to the amendment and amendment to the substitute pending at one time. So the gentleman from Texas offers this amendment to the substitute.

Mr. POWERS. A further parliamentary inquiry. This amendment by way of substitute is merely an amendment, and you can not have more than two amendments pending at the same time.

The CHAIRMAN. The rules provide that you can have an amendment and a substitute to the amendment and then there can be an amendment to the original amendment and an amendment to the substitute all pending at one time. The gentleman from Texas will proceed.

Mr. JONES. Mr. Chairman, there has been so much eloquence wasted on the bill that I do not propose to make a long speech, but simply to state a few facts that ought to be considered. I have read thoroughly the report on the bill, and if I gather the import and purpose of the measure, it is to take care of those who have been injured in the military and naval service of the United States. The sole question should be the securing of the best possible location. [Applause.] The northwestern part of Texas is an elevated table-land 3,640 feet high. Here the amendment proposes to locate this institution. There are many tubercular patients and people afflicted with all manner of physical ailments who go to west Texas every year, regardless of hospital locations. The State of Texas has recently located a tuberculosis hospital in western Texas and in the same character and class of country where I am seeking to have this general sanatorium located. Here hundreds are treated every year. The climate is ideal. It is a land of almost cloudless skies, and is a natural climate for the treatment of injuries and diseases covered by this bill. Amarillo is within 200 miles of the geographical center of the United States. It has three trunk lines of railway and the finest water you can find anywhere in the world. Good health is catching instead of disease. In fact, Potter County, Tex., is the only county with 20,000 people in the United States that has no cemetery. [Laughter and applause.]

Mr. STEVENSON. Do the inhabitants decline to be buried there or do they go away before they die [Laughter.]

Mr. JONES. But very few die, and we take those into an adjoining county.

Mr. BURNETT. Does anybody live there?

Mr. JONES. There are 20,000 people living there according to the census. It is a good town, centrally located. No finer climate can be found anywhere in the country from the standpoint of health. I think the Lord must have created the rest of the world and then created the Panhandle of Texas; and Amarillo is its metropolis.

Mr. JOHNSON of Washington. Are the people of that locality willing to contribute the land for this institution?

Mr. JONES. Yes; I can assure the House that if you will locate the institution there we can secure a gift of anywhere from 1 to 3,000 acres.

Mr. KNUTSON. What is the altitude of that place?

Mr. JONES. From 3,000 to 4,000 feet. The particular place has an elevation of 3,000 feet.

Mr. KNUTSON. That is high enough. [Laughter.]

Mr. JONES. It is table-land, with a magnificent canyon running right along through it. For some years there has been a bill pending to make a national park out of this canyon. I will assure Congress that I can secure by telegraphic communication before the sun goes down an offer of 1,000 acres or more as a gift to the United States for the location of this institution. [Applause.]

Therefore I submit to you, if you are going to locate a hospital for the treatment of the wounded soldiers and sailors of the United States it should be located at the best place for the treatment of these diseases that you intend to treat. The right of the soldier is a paramount issue and should be the paramount purpose. I submit that inasmuch as the State of Texas has seen fit to locate a great institution of this character in that section of the country, and inasmuch as at the particular place where we offer to locate the institution there are hundreds and hundreds of patients from all over the country who go even though there is no hospital, and some of them live in tents and sleep on cots, that it is a better place to locate this institution than the other places proposed, and that this institution should not be located or operated from the standpoint of anything except the interests of those who have been fighting the Nation's battles.

Mr. REAVIS. Will the gentleman yield?

Mr. JONES. Yes.

Mr. REAVIS. What is the average temperature there in winter?

Mr. JONES. I do not know that I can give the gentleman that information, but the Weather Bureau can give it to you. It is not exceedingly cold; it is an elevated table-land and has sunshine nearly all winter. The temperature is perhaps colder than other sections of Texas.

Mr. REAVIS. Does it get so cold that the patients would not be able to sleep in tents?

Mr. JONES. No; if you were in Amarillo to-day, I could show you numbers of tents occupied by tubercular patients who sleep there all the winter on cots. It is an ideal location for the treatment of this kind of patients, and in the hospital which the State of Texas has located less than 200 miles from Amarillo, in the same character of country, there are many patients who sleep in screened porches or in tents during the winter. This is not a party question; it is a unanimous report of the committee, both Democratic and Republican. There should be a hospital, and it should be properly located. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman— [Cries of "Vote!"] Just hold your horses and be patient; you may not vote before midnight. Mr. Chairman, no medical authority, so far as this House knows, has investigated this place in Texas. We have the statement of the gentleman who represents that district that it is a good place for a tuberculosis hospital. I am not advised that the gentleman is a physician or a surgeon and not advised that he is a specialist in tubercular matters, not advised that he knows any more about it than I do or any other average Member of this House.

Mr. JONES. Will the gentleman yield?

Mr. CLARK of Florida. No; I will not yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. CLARK of Florida. Mr. Chairman, so far as this place in Kentucky is concerned, the Public Health Service, I want to state again, and the Medical Department of the Bureau of War-Risk Insurance have examined places in Minnesota, in California, in the State of New York, and they have selected this as the place where this hospital ought to be located. Now, unless Congress can rely upon the testimony of men of that character in settling these questions, which are technical or professional in their nature, I can not understand what kind of testimony we would act upon. I have brought this in—

Mr. JONES. Will the gentleman yield?

Mr. CLARK of Florida. No.

Mr. JONES. Will the gentleman take the word of the State medical officer, of the State medical association, if I show him the letter?

Mr. CLARK of Florida. The gentleman did not say anything about that, and I would rather take the testimony of the Public Health Service of the United States—yes; I will take that. I want to say, Mr. Chairman, I brought this bill in here in the utmost of good faith, backed by the unanimous committee, Republicans and Democrats, backed by the unanimous vote of that committee to get a rule to consider it, so urgent was it deemed by the committee, and when these boys are suffering for this treatment we are met by a jocular treatment of it. It

almost reminds me of the time when they say "Nero fiddled while Rome burned." The soldiers of this country are suffering, and men upon the floor of the American Congress laugh when it is proposed in real seriousness to provide something in order that they may be taken care of. Mr. Chairman, I demand a vote on the amendment offered by the gentleman from Texas. The CHAIRMAN. The question is on the amendment offered to the substitute.

Mr. GARRETT of Tennessee. Mr. Chairman, has debate been exhausted? I would like to debate it if debate has not been exhausted. [Cries of "Vote!"]

The CHAIRMAN. Debate is exhausted.

Mr. GARRETT of Tennessee. I will take my time under the rule. [Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. CLARK of Florida and Mr. BURNETT) there were—ayes 75, noes 64.

Mr. CLARK of Florida. Tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided, and the tellers (Mr. CLARK of Florida and Mr. JONES) reported that there were—ayes 80, noes 71.

So the amendment to the substitute was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, is the amendment carried?

The CHAIRMAN. The amendment is carried.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

Mr. MONDELL. Mr. Chairman, I have an amendment—

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to address the committee for five minutes. Is there objection?

Mr. WALSH. What about?

Mr. GILLET. On what subject?

Mr. GARRETT of Tennessee. On the bill.

Mr. MONDELL. Mr. Chairman, I should like to have my amendment submitted and read for the information of the committee and then I have no objection—

The CHAIRMAN. After this request is granted.

Mr. WALSH. Mr. Chairman, reserving the right to object, I should like to ask the gentleman from Tennessee upon what topic he wants to address the committee.

Mr. GARRETT of Tennessee. Upon the bill.

Mr. GOOD. Mr. Chairman, reserving the right to object—

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw the request.

Mr. CANNON. Mr. Chairman, I hope the gentleman will not object. The gentleman wants to talk on the bill.

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw the request.

The CHAIRMAN. The question now recurs upon the substitute as amended.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. MANN) there were—ayes 75, noes 78.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. STEENSON and Mr. CLARK of Florida) reported there were—ayes 91, noes 84.

So the substitute as amended was adopted.

The CHAIRMAN. The question now recurs upon the amendment of the gentleman from Iowa as amended by the substitute.

Mr. ROBBINS. Mr. Chairman, may we have that stated again?

The CHAIRMAN. Without objection—

Mr. BARKLEY. Mr. Chairman, I object.

Mr. ROBBINS. All right.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. CLARK of Florida. Mr. Chairman, I demand a division.

Mr. MANN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. DOWELL and Mr. CLARK of Florida) reported that there were—ayes 95, noes 91.

So the amendment as amended was adopted.

Mr. CANNON. Mr. Chairman, I desire to make a motion to strike out all of this paragraph after the enacting clause. I

do not desire to move to strike out the enacting clause, but all of the paragraph after the enacting clause.

Mr. MONDELL. Mr. Chairman—

The CHAIRMAN. Let the motion be stated from the Clerk's desk.

The Clerk read as follows:

Mr. CANNON moves to strike out, beginning on line 3, page 1, the remainder of the paragraph, down to and including line 15, on page 2.

Mr. MONDELL. Mr. Chairman, will the gentleman from Illinois yield for the purpose of offering an amendment, for the information of the House, as a substitute to be considered after his amendment has been discussed? I desire to have it pending.

Mr. CANNON. I have no objection, provided I do not lose the floor.

The CHAIRMAN. It is a matter for unanimous consent.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to do so.

Mr. CLARK of Florida. I object, Mr. Chairman.

Mr. CANNON. Now, Mr. Chairman, I have not taken any of the time of the committee on this bill. I have had no opportunity, nor has there been opportunity, to address the committee upon the necessity for this legislation at this time, except as it has been presented by those who are friendly to the bill. And I will be glad, and I hope, although perhaps I am vain, that I may have 20 minutes of time now to talk about the necessity for this legislation, giving facts, which are official, and with no captious desire to take up time unnecessarily.

Mr. CLARK of Florida. Mr. Chairman—

The CHAIRMAN. Will the gentleman yield?

Mr. CANNON. Certainly.

Mr. CLARK of Florida. I do not want to object to the gentleman from Illinois, certainly, but, Mr. Chairman, everybody has seen how this bill has been managed, the fight that has been made upon it, and the time that has been killed upon it. Now, if we can reach some agreement and vote on striking out the enacting clause, or something that will test the House as to the bill itself, I am perfectly willing to agree, so far as I am concerned, to reasonable time on both sides to discuss it. But I do not think I would be justified, in view of everything here, in consenting to individual gentlemen spending the time—10, 15, or 20 minutes. We would never get through. Now, if we can reach some such agreement as that, I would be very glad to enter into it. I would be very glad if the gentleman from Illinois [Mr. CANNON] could have the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. CANNON]?

Mr. CLARK of Florida. Reserving the right to object, Mr. Chairman—

Mr. MANN. Mr. Chairman, it is quarter to 4 o'clock. The announcement last night was that the House might adjourn until Saturday. I apprehend that no one has made definite arrangements about to-morrow. It seems to me it might be more convenient to the membership of the House not to run too long to-night and to continue with the bill to-morrow. There is nothing else that is urging that I know of that would come up to-morrow.

Mr. BURNETT. Mr. Chairman, the leader is not in, but my recollection is to-day that he told me that some gentlemen on both sides had gone under the impression that there would be no session to-morrow. I do not speak that authoritatively, but that is my recollection.

Mr. MANN. If they have gone, they are away now. So far as I am concerned, I am willing to vote on the bill or amendments or any of them at any time. I would be glad to have my colleague heard. Several gentlemen have been waiting to be heard, and my friend from Iowa knows that nearly always at the beginning of the session of Congress we waste a good deal of time on a bill like this with little parliamentary propositions.

Mr. CLARK of Florida. If the gentleman will permit me, I want to say that I am just as anxious as he can be to give the distinguished gentleman from Illinois all the time he wants.

Mr. MANN. I understand, and I think that is the sentiment of every Member in the House.

Mr. CLARK of Florida. But I do not want to do it if this performance is to continue.

Mr. MANN. I will say to the gentleman from Florida that probably there will be a motion offered very soon, by way of amendment, to strike out the enacting clause.

Mr. CLARK of Florida. Why could we not have that now and agree upon the time to debate it and close the matter up one way or the other?

Mr. BURNETT. May I ask if that is not the effect of the motion of the gentleman from Illinois [Mr. CANNON]?

Mr. SAUNDERS of Virginia. As I understand it, there would be nothing left if his motion was agreed to.

Mr. MANN. If other Members are agreeable, I am perfectly willing, if my colleague will yield for that purpose, to have my other colleague [Mr. GRAHAM] make the motion of which he gave notice, to strike out the enacting clause and agree to debate.

Mr. MONDELL. Mr. Chairman, I have a substantive proposition which will provide and care for the men that have been discharged from the military service of the United States in hospitals that we now have. And I desire before the debate closes to have an opportunity to present that amendment and to debate it, not to exceed five minutes.

Mr. GRAHAM of Illinois. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois [Mr. CANNON] yield?

Mr. CANNON. I do. I hope it is not to be taken out of my time.

The CHAIRMAN. This is all by unanimous consent.

Mr. GRAHAM of Illinois. Mr. Chairman, I have given notice of a motion to strike out the enacting clause, and it has been understood probably, between the chairman of the committee and the gentleman from Nebraska and myself, that some time would be allowed for debate on that matter. And I suggest, if my colleague from Illinois will yield, that I present my motion now to strike out the enacting clause, with the agreement that time be divided in some way between the gentleman from Florida [Mr. CLARK] and whoever controls it on this side, and let the gentleman from Illinois [Mr. CANNON] and the gentleman from Wyoming [Mr. MONDELL] have all the time they desire. I myself would like a little time on the motion.

Mr. CLARK of Florida. I am perfectly willing to do that if we can get rid of everything else and settle the question as to whether we are going to have the legislation or not.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. GRAHAM of Illinois. Yes.

Mr. BANKHEAD. Why does not the gentleman offer an amendment to the amendment of the gentleman from Illinois [Mr. CANNON] to strike out the enacting clause?

Mr. GRAHAM of Illinois. No; it is to—

Mr. MANN. That would not be in order.

The CHAIRMAN. This can be offered to the amendment that is pending.

Mr. CANNON. I am perfectly willing.

Mr. CLARK of Florida. I would like to make a unanimous-consent request, if it is agreeable to the gentleman from Illinois.

Mr. CANNON. Precisely; by unanimous consent.

Mr. CLARK of Florida. It is that the colleague of the gentleman from Illinois [Mr. GRAHAM] be allowed to offer the amendment to strike out the enacting clause and that there be two hours of debate upon that proposition, one hour to be controlled on this side and one hour on that side, and then no other amendment be offered and a vote be taken.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the gentleman from Illinois [Mr. GRAHAM] be permitted to offer his amendment to strike out the enacting clause and that there shall be two hours' debate on the proposition, one hour to be controlled by the gentleman from Florida and one hour by the gentleman in opposition, Mr. SMITH of Michigan, if he is present—

Mr. CANNON. One hour on a side—

The CHAIRMAN. And at the expiration of that time the vote be taken. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Chairman, I would suggest it be an hour and a quarter.

Mr. CANNON. Two hours is the proposition.

Mr. MADDEN. That would keep us here until 6 o'clock and after.

Mr. CLARK of Florida. I have in mind a statement made by the minority leader from Illinois [Mr. MANN], and I thought that possibly he and the majority leader [Mr. KITCHIN] could reach some conclusion about to-morrow.

Mr. MADDEN. Very well; if you are not going to dispose of this matter to-night, I object.

Mr. KITCHIN. Would there be objection to an hour to a side on the motion of the gentleman from Illinois [Mr. GRAHAM] to strike out the enacting clause?

Mr. CANNON. I would like 20 minutes.

Mr. KITCHIN. After the gentleman from Illinois has completed, an hour to a side.

Mr. GRAHAM of Illinois. No; I do not think so. I think the proposition of the gentleman from Florida is a proper one. There is a great demand for time over here.

The CHAIRMAN. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Chairman, unless there is some understanding that this matter is not going to be disposed of to-night, I shall object to two hours' general debate on this motion.

Mr. CLARK of Florida. Let me make this request, then, Mr. Chairman, that we have an hour and a half of general debate, 35 minutes of it to be controlled by myself and the balance to be controlled by some gentleman on the other side, and that we do not vote until to-morrow, and that this agreement means the withholding of any other amendment.

The CHAIRMAN. The gentleman from Florida modifies his request by asking that 35 minutes be controlled by himself in the debate on the motion to strike out the enacting clause and 55 minutes, or the remainder of an hour and a half, to be controlled by the gentleman from Michigan [Mr. SMITH], if he is present, or some one opposed to the bill, and that the vote to strike out the enacting clause be taken to-morrow. Is there objection?

Mr. MADDEN. That is an hour and a half?

The CHAIRMAN. Yes.

Mr. REAVIS. Mr. Chairman, reserving the right to object, is this hour and a half to be taken from the time of the gentleman from Illinois [Mr. CANNON], who has been recognized?

Mr. CLARK of Florida. I understood the gentleman from Illinois would get his 20 minutes.

Mr. GARRETT of Tennessee. Well, Mr. Chairman, you can not make an agreement in the Committee of the Whole to take a vote to-morrow. That agreement can only be made in the House. I do not care to interpose any objection to it, but you can not agree in the Committee of the Whole to take a vote in the House.

Mr. GILLET. But if the gentleman from Florida says he will not take it in the House—

Mr. MANN. A vote is to be taken in the House.

Mr. GARRETT of Tennessee. It was stated that a vote would be had before the vote on the motion to strike out the enacting clause would be taken.

Mr. MANN. No; a vote on the motion striking out the enacting clause.

Mr. MONDELL. Mr. Chairman, reserving the right to object, from the beginning of the debate I have been intending to offer a substantive amendment which would make provision for the men discharged from the military forces of the United States needing hospital care. I have not had an opportunity to present that amendment. I shall not agree to any unanimous-consent arrangement that will cut me off from the opportunity of offering that amendment. I shall object.

The CHAIRMAN. The gentleman from Wyoming objects unless he can get opportunity to offer his amendment.

Mr. CLARK of Florida. Mr. Chairman, I wish to couple with the request already made the further agreement that the gentleman from Wyoming be allowed to offer his amendment and that there shall be five minutes' debate on either side on it.

Mr. MANN. Then the request should be made that after the motion to strike out the enacting clause is made and pending a vote upon that, the gentleman from Wyoming be permitted to offer an amendment, and that his amendment be voted upon before the vote is taken to strike out the enacting clause. I do not think it is necessary to increase the time any.

The CHAIRMAN. Does the gentleman understand that the gentleman from Florida makes that modification?

Mr. GARRETT of Tennessee. We would not know how we should vote on the motion to strike out the enacting clause unless the gentleman's amendment is voted on first.

Mr. MANN. It could be voted on first.

Mr. HASTINGS. Mr. Chairman, I think the time should be equally divided, and therefore I object unless the time is equally divided on either side. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma objects.

Mr. CANNON. I understand that the time is equally divided.

Mr. MANN. Just a moment, Mr. Chairman. Let us make the time an hour on each side, unless Members have other engagements for to-morrow, because even under this the vote would not be taken until to-morrow, and the few minutes used in debate to-morrow will not make any difference if we adjourn a little earlier to-night. I hope the gentleman will make his request, then, the same as it was, except that the time for debate be two hours, one hour on a side.

Mr. CLARK of Florida. I will do that.

The CHAIRMAN. The gentleman from Florida now modifies his request by making it two hours' debate on the motion to strike out the enacting clause, to be made by the gentleman from Illinois [Mr. GRAHAM].

Mr. SAUNDERS of Virginia. Reserving the right to object, Mr. Chairman, as that was stated, it seemed to omit the request of the gentleman from Wyoming.

Mr. MANN. I understand the Chair has stated just one change, increasing the time for debate. The other provisions go as stated before.

The CHAIRMAN. That is the Chair's understanding.

Mr. SAUNDERS of Virginia. And part of the request is that at the expiration of the two hours' debate on the motion to strike out the enacting clause, the gentleman from Wyoming is to be recognized to offer his amendment.

Mr. MANN. Pending the two hours' debate, and that debate on his motion be had before the vote to strike out the enacting clause.

Mr. SAUNDERS of Virginia. Why pending?

Mr. MANN. So that, as Members suggest, they have a chance to vote on a substantive proposition before voting on the motion to strike out the enacting clause. It is perfectly apparent that if the enacting clause were stricken out the gentleman could not offer his amendment.

Mr. SAUNDERS of Virginia. That is precisely what I stated, that after the debate was concluded on the motion to strike out, the gentleman from Wyoming should then be recognized to offer his amendment, after which there should be 10 minutes debate, 5 minutes on a side.

Mr. MANN. Or at any time within the two hours.

Mr. MONDELL. I desire that my amendment shall be before the House during the debate. If it is offered at the close of the debate, after Members have made up their minds, there will be no opportunity. All the time I want on my amendment is five minutes, but I desire to have it pending during the debate.

Mr. SAUNDERS of Virginia. Then the gentleman wants to have it stated as a part of the request that he shall have the right, pending the two hours' debate, to submit his amendment for information.

Mr. MONDELL. To be voted on at the close of the debate.

Mr. SAUNDERS of Virginia. To be voted on at the close of the two hours' debate, and the gentleman is to have five minutes additional—

Mr. MONDELL. I do not ask any additional time beyond the two hours.

Mr. SAUNDERS of Virginia. The gentleman's five minutes will be taken out of the two hours.

Mr. MONDELL. Yes.

Mr. SAUNDERS of Virginia. I want to get the facts straight as to the agreement.

The CHAIRMAN. Let the Chair state the request. It is that the gentleman from Illinois [Mr. GRAHAM] may offer his amendment to strike out the enacting clause. Upon that motion there shall be two hours of debate, to be equally divided between the gentleman from Florida [Mr. CLARK] and the gentleman from Michigan [Mr. SMITH], and that before the debate begins the gentleman from Wyoming [Mr. MONDELL] shall have an opportunity to offer an amendment, and that that amendment shall be voted on prior to voting on the motion to strike out the enacting clause. Is that correct?

Mr. CLARK of Florida. That is correct, and that no other amendments be offered.

The CHAIRMAN. No other amendments can be offered.

Mr. GRAHAM of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRAHAM of Illinois. I notice that the time on our side is to be controlled by the gentleman from Michigan [Mr. SMITH], which is entirely satisfactory to me, as far as I am concerned; but I assume that if I offer my motion now, and then yield to my colleague, I can hereafter debate my motion.

Mr. MANN. The gentleman will get time from the gentleman from Michigan [Mr. SMITH]. There will be no trouble about that.

The CHAIRMAN. The Chair has no power over that. That will be in the control of the gentleman from Michigan [Mr. SMITH]. Is there objection? The Chair hears none.

Mr. POWERS. Reserving the right to object, I have been trying all day to get in my amendment for Middleboro or Harlan, Ky. Unless my amendment can come in under the same head as that of the gentleman from Wyoming, I shall be compelled to object.

The CHAIRMAN. What does the gentleman from Florida say to that?

Mr. CLARK of Florida. I can not include all the amendments. I am trying to get rid of them.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Is there objection?

Mr. POWERS. I withdraw my objection.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

Mr. CANNON. As I understand it, Mr. Chairman, the agreement is as follows: That I withdraw my motion, and that my colleague [Mr. GRAHAM of Illinois] shall move to strike out the enacting clause, whereupon the committee will rise and there will be an hour on a side to-morrow, and then the gentleman from Wyoming—

Mr. MONDELL. I wish to have my amendment read to-night.

Mr. CANNON. That the amendment of the gentleman from Wyoming [Mr. MONDELL] be now read, and that then he shall have five minutes to-morrow.

Mr. MANN. The first thing is that my colleague [Mr. GRAHAM of Illinois] shall offer a motion to strike out the enacting clause.

Mr. CANNON. Yes. Unanimous consent having been given to this, I withdraw my amendment.

The CHAIRMAN. Without objection it is so ordered. Now, let the Chair state further that the understanding is that the gentleman from Wyoming [Mr. MONDELL] is to offer his amendment, and that it be pending.

Mr. CANNON. Yes.

The CHAIRMAN. The Chair simply makes this suggestion.

Mr. MANN. The first thing is the motion to strike out the enacting clause.

The CHAIRMAN. Yes; but under the unanimous-consent agreement we must also have the amendment of the gentleman from Wyoming pending. The Chair wonders if it would not be more proper for the gentleman from Wyoming to offer his amendment first.

Mr. MANN. It would not make any difference about the voting, except for the unanimous-consent agreement.

Mr. GRAHAM of Illinois. Mr. Chairman, I offer an amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Page 1, lines 1 and 2, strike out the enacting clause.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

The Clerk read as follows:

Amendment offered by Mr. MONDELL: Strike out all after the enacting clause and insert the following:

"The Secretary of War is hereby authorized and directed to designate such general hospitals and hospitals at camps and cantonments, now under the jurisdiction of the War Department, for the treatment of persons discharged from the military and naval forces of the United States as in his opinion can advantageously be utilized for such purposes, and are not needed for those in the military and naval forces, and the said Secretary shall within 30 days after the passage of this act report to Congress as to the character, location, and capacity of the hospitals designated by him as available for the treatment of those discharged from the military and naval forces."

Mr. CLARK of Florida. I want to reserve a point of order against that amendment on the ground that it is not germane.

Mr. SMITH of Michigan. Mr. Chairman, I yield to the gentleman from Illinois [Mr. CANNON] 20 minutes.

Mr. CLARK of Florida. Will the gentleman from Illinois yield to me for a moment?

Mr. CANNON. I will.

Mr. CLARK of Florida. Mr. Chairman, with the consent of the gentleman from Illinois, I move that the committee do now rise.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Florida for that purpose?

Mr. CANNON. I do.

The CHAIRMAN. The gentleman from Florida moves that the committee do now rise.

The motion was agreed to.

Accordingly, the committee determined to rise, and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12917, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Thursday, December 5, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk of the House of Representatives, transmitting report for the period from July 1, 1917, to June 30, 1918, both inclusive, showing names of all clerks and other persons employed, and detailed statement of the manner in which the contingent fund of the House has been expended (H. Doc. No. 1359); to the Committee on Accounts and ordered to be printed.

2. A letter from the Clerk of the House of Representatives, transmitting list of reports to be made to Congress by public officers during the Sixty-fifth Congress (H. Doc. No. 1526); to the Committee on Accounts and ordered to be printed.

3. A letter from the Librarian of Congress, transmitting statement showing in detail what officers and employees have traveled on official business from Washington to points outside of the District of Columbia during the fiscal year 1918 (H. Doc. No. 1527); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting statement of expenditures of the Coast Guard for the fiscal year ended June 30, 1918 (H. Doc. No. 1528); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting estimates for receipts of Indian tribal funds, expenditures recommended therefrom by the Secretary of the Interior for the benefit of the Indians, and estimates of amounts required to be expended under treaty stipulations and agreements for the fiscal year ending June 30, 1920 (H. Doc. No. 1529); to the Committee on Indian Affairs and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting a statement of the proceeds of all sales of old material, condemned stores, supplies, and other public property for the fiscal year ended June 30, 1918 (H. Doc. No. 1530); to the Committee on Appropriations and ordered to be printed.

7. A letter from the acting chairman of the Federal Board for Vocational Education, transmitting a statement showing in detail the travel from Washington to points outside of the District of Columbia performed by officers and employees during the fiscal year 1918 (H. Doc. No. 1531); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Doorkeeper of the House of Representatives, transmitting an inventory of all property under his charge belonging to the United States (H. Doc. No. 1532); to the Committee on Accounts and ordered to be printed.

9. A letter from the president of the United States Civil Service Commission, transmitting a statement showing in detail what officers and employees of the commission have traveled on official business from Washington to points outside the District of Columbia during the fiscal year ended June 30, 1918 (H. Doc. No. 1533); to the Committee on Appropriations and ordered to be printed.

10. A letter from the president of the United States Civil Service Commission, transmitting a report for the first four months of the fiscal year 1919, showing the average number of employees of the commission receiving the increased compensation at the rate of \$120 per annum (H. Doc. No. 1534); to the Committee on Appropriations and ordered to be printed.

11. A letter from the chairman of the National Advisory Committee for Aeronautics, transmitting a report showing number of employees of this committee who have received the increase of compensation at the rate of \$120 per annum for the first four months of the fiscal year 1919 (H. Doc. No. 1535); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Postmaster General, submitting supplemental estimates of appropriation required by the Postal Service and payable from postal revenues for the fiscal year 1919 (H. Doc. No. 1536); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of State submitting an estimate of appropriation for the relief of Mr. Ross Hazeltine, consul at Fort Antonio, Jamaica (H. Doc. No. 1537); to the Committee on Claims and ordered to be printed.

14. A letter from the Secretary of the Treasury, transmitting copy of communication from the Commissioners of the District of Columbia submitting supplemental estimates of appropriation required for the service of the District of Columbia for the fiscal year 1919 (H. Doc. No. 1538); to the Committee on Appropriations and ordered to be printed.

15. A letter from the Secretary of the Treasury, transmitting information and recommendations relative to deficiency estimate of appropriation for the conservation of public health, transmitted October 29, 1918 (H. Doc. No. 1539); to the Committee on Appropriations and ordered to be printed.

16. A letter from the Secretary of the Interior, transmitting statements showing for the first four months of the current fiscal year the average number of employees in the Secretary's office, the solicitor's office, and the various bureaus and offices of this department receiving increased compensation at the rate of \$120 per annum (H. Doc. No. 1540); to the Committee on Appropriations and ordered to be printed.

17. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Repairs of buildings, Department of the Interior, 1918," for the fiscal year 1918 (H. Doc. No. 1541); to the Committee on Expenditures in the Interior Department and ordered to be printed.

18. A letter from the Secretary of the Interior, transmitting an itemized statement of expenditures made by this department and charged to the appropriation "Contingent expenses, Department of the Interior, 1918," for the fiscal year ended June 30, 1918 (H. Doc. No. 1542); to the Committee on Expenditures in the Interior Department and ordered to be printed.

19. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, furnishing statements of moneys arising from the proceeds of public property received by the War Department during the fiscal year ended June 30, 1918 (H. Doc. No. 1543); to the Committee on Military Affairs and ordered to be printed.

20. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimates of appropriation for increase of salaries of officers and employees of the War Department for the fiscal year 1920 (H. Doc. No. 1544); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Postmaster General, transmitting a tabular statement showing in detail the claims for postmasters for reimbursement for losses of postal, money order, and other funds and stamps, resulting from burglary, fire, or other unavoidable casualty, which have been acted on by the Postmaster General during the fiscal year ended June 30, 1918 (H. Doc. No. 1545); to the Committee on the Post Office and Post Roads and ordered to be printed.

22. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1918 (H. Doc. No. 1451); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WINGO, from the Committee on Mines and Mining, to which was referred the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, reported the same with amendment, accompanied by a report (No. 840), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 13229) to reclassify the salaries of employees above the clerical grades in post offices of the first and second class; to the Committee on the Post Office and Post Roads.

By Mr. HARRISON of Mississippi: A bill (H. R. 13230) providing for the employment by the United States Government of disabled soldiers and sailors of the United States, and prescribing the preference to be extended them in filling clerical and other vacancies; to the Committee on Reform in the Civil Service.

By Mr. JONES: A bill (H. R. 13231) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 13232) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North; to the Committee on Interstate and Foreign Commerce.

By Mr. GLYNN: A bill (H. R. 13233) to provide for the purchase of an additional site and the erection of an addition to the present post office thereon at Waterbury, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. CANDLER of Mississippi: A bill (H. R. 13234) providing for the local commemoration in his home county of the service rendered and sacrifice made by each soldier, sailor, marine, and aviator who lost his life while in the service of the United States during the present war; to the Committee on Appropriations.

Also, a bill (H. R. 13235) to provide for the retention of all uniforms issued to soldiers and sailors of the United States who have been honorably discharged, and providing also for privilege of using same for a stated period of time, and for one month's extra pay upon being discharged; to the Committee on Military Affairs.

By Mr. NEELY: A bill (H. R. 13236) for the relief of certain noncommissioned officers of the United States Army, who were recalled to active service during the recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 13237) to prohibit the transportation of illegally caught lobsters, also the importation, bringing into, or landing in the United States of any lobsters less than a certain size taken or obtained outside of territorial limits of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. WEBB: A bill (H. R. 13238) fixing a limitation of time for bringing suits against the United States in certain cases; to the Committee on the Judiciary.

By Mr. SNYDER: A bill (H. R. 13239) for the relief of commissioned officers and noncommissioned men of the Army recommended for promotion; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 13240) to give to every soldier and sailor in the Army and Navy of the United States the uniform he is wearing at time of his honorable discharge; to the Committee on Military Affairs.

By Mr. FREAR: Resolution (H. Res. 464) for the appointment of a committee to investigate the National Security League, and for other purposes; to the Committee on Rules.

By Mr. RIORDAN: Resolution (H. Res. 465) providing for the consideration of House bill 12001; to the Committee on Rules.

By Mr. SLAYDEN: Resolution (H. Res. 466) to set aside a date to receive vases given by the Republic of France to the House of Representatives; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 13241) granting an increase of pension to John M. Hughes; to the Committee on Invalid Pensions.

By Mr. BLANTON: A bill (H. R. 13242) granting a pension to M. S. Wyman; to the Committee on Invalid Pensions.

By Mr. CLAYPOOL: A bill (H. R. 13243) granting an increase of pension to John Reis; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 13244) granting a pension to Sarah P. Carroll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13245) granting a pension to Georgiana L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13246) granting an increase of pension to Henry Davis; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 13247) granting a gratuity to members of the United States Army; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 13248) granting a pension to Gustave Stellar; to the Committee on Pensions.

Also, a bill (H. R. 13249) granting a pension to John A. Gaut; to the Committee on Pensions.

By Mr. MCKINLEY: A bill (H. R. 13250) granting a pension to Isabella Gruver; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 13251) granting a pension to Mary E. Finch; to the Committee on Invalid Pensions.

By Mr. REAVIS: A bill (H. R. 13252) granting an increase of pension to Sarah E. Mowrey; to the Committee on Invalid Pensions.

By Mr. WALDOW: A bill (H. R. 13253) granting an increase of pension to James Hawkins; to the Committee on Invalid Pensions.

By Mr. ESSEN: Resolution (H. Res. 467) to pay E. Niedner, clerk to the late Jacob E. Meeker, a Representative in Congress, \$106.06; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Petition urging Smith-Bankhead bill (S. 4922 and H. R. 12880), rehabilitating through vocational training workmen disabled by industrial accidents; to the Committee on Education.

By Mr. ELSTON: Petition signed by citizens of Alameda County, Cal., that all privileges given osteopaths in House bill 5118 be extended to chiropractors; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Mrs. O. E. Carlstrom, Aledo, Ill., and divers other citizens of Mercer County, Ill., who are relatives or friends of men in the military service, for favorable consideration of House bill 5407 and Senate bill 4919, in order that the services of osteopathic physicians may be available to them while in the service of their country; to the Committee on Military Affairs.

By Mr. HADLEY: Memorial to Congress from Port Commission of the Port of Seattle, relative to accidents on the Alaskan coast; to the Committee on the Merchant Marine and Fisheries.

By Mr. OSBORNE: Petition of Dr. Hester L. Abbott and other friends and relatives of men in the service of the United States, requesting of the Congress favorable action respecting Senate bill 4914 and House bill 5407, in order that the services of osteopathic physicians may be available to such men; to the Committee on Military Affairs.

SENATE.

THURSDAY, December 5, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that by Thy grace and leadership we have come out of a great struggle with clean hands and pure hearts. And now as we gather the fruits of a great victory and seek to adjust the relationships of men, we pray that we may be guided by the Divine Spirit, that as in all our history of the past so to-day we may build upon the sure foundations of the gospel of Thy Son the Lord and Savior, Jesus Christ. We pray to this end that Thou wilt guide us in our deliberations. Give us that unity of counsel which can only come out of the common origin and source of truth, Thy Word. May success attend our efforts to bring universal peace and brotherhood to the earth. We ask it for Christ's sake. Amen.

THOMAS W. HARDWICK, a Senator from the State of Georgia, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

FOREIGN POLICY OF SPAIN.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of State, which will be read and referred to the Committee on Foreign Relations.

The communication is as follows:

DEPARTMENT OF STATE,
Washington, December 3, 1918.

HON. THOMAS R. MARSHALL,
Vice President of the United States,
United States Senate.

SIR: I have the honor to inform you that a note has been received from the ambassador of Spain at this Capital, in which he states that when the new Spanish Government, presided over by Marquis de Alhucemas, presented itself before the Congress of Deputies the president of the council of ministers declared that the foreign policy of the Government over which it presided was steered in intimate understanding with the western powers of Europe and the United States. The ambassador also states that two incidental motions, differently worded but to the same effect, were introduced offering congratulations on the termination of hostilities and on the dawning of justice over force, the basis of liberty and fraternity among the peoples. The second of these two motions was passed with only two dissenting votes. In conclusion, the ambassador states that his Government desires the particularly unanimous sentiment of the Spanish Congress, which has given by its vote evidence of the earnest sympathy it cherishes toward the allied people and Governments, made known to the Congress of the United States.

A similar letter has been addressed to the Speaker of the House of Representatives.

I have the honor to be, sir, your obedient servant,
ROBERT LANSING.

SENATOR FROM LOUISIANA.

The VICE PRESIDENT. The Chair lays before the Senate the certificate of the governor of Louisiana certifying to the election of Hon. JOSEPH EUGENE RANDELL as a Senator from the State of Louisiana, which will be read and placed on the file.

The credentials are as follows:

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOSEPH EUGENE RANDELL was duly chosen by the qualified electors of the State of Louisiana a Senator to represent said State in the Senate of the United States for a term of six years, beginning on the 4th day of March, 1919.

Witness, his excellency our governor, Ruffin G. Pleasant, and our seal hereto affixed at Baton Rouge, this 26th day of November in the year of our Lord 1918.

By the governor:

RUFFIN G. PLEASANT,
Governor.
JAMES J. BURLEY,
Secretary of State.

[SEAL.]

STATEMENT BY EX-PRESIDENT TAFT.

Mr. PITTMAN. I ask unanimous consent that the statement by former President William Howard Taft, published in the Washington Post of December 5, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TAFT DEFENDS WILSON'S TRIP; SAYS ADVANTAGES ARE CLEAR; CONSTITUTION CONFERS THE RIGHT—BELIEVES PRESIDENT'S PRESENCE AT PEACE CONFERENCE WILL GIVE IT A DEMOCRATIC STAMP—PROPER FOR HIM TO ASPIRE TO BE HEAD OF LEAGUE OF NATIONS—IGNORING OF SENATE DOES NOT JUSTIFY RETALIATORY ACTION, FORMER PRESIDENT THINKS.

(By William Howard Taft.)

"If one can judge from the serious doubts of the wisdom of the President's going in person to the Paris conference expressed in friendly Democratic newspapers, it is not popular. What the political effect of his trip will be it is idle to discuss so far in advance of the next presidential election. Much is to happen in the domestic field in the next two years.

"The advantages of the President's going seem clear. His presence in the conference will stamp upon it a democratic character in the eyes of all but the wild bolsheviks. This will be a real aid in allaying the unrest among the peoples of the allies. The conference between Mr. Wilson, Lloyd George, M. Clemenceau, and Sr. Orlando must be useful to the world. What is of the utmost importance is that the four great allies shall work in harmony in the great task before them. In these four men we shall have the men of real power in the four great nations.

HIS POWER LIKE PREMIER.

"King George, President Poincare, and King Victor Emmanuel are not the actual wielders of power in their respective countries as Mr. Wilson is in this. His powers are more analogous to those of the three premiers, except that he adds to his the titular headship of the American Nation as well. The personal contact of the real leaders, the intimacies of their informal conversations, and the human touch of it all should rub off angles and corners and make for sympathetic aims and harmony. Those who have projected plans for the league of nations have always insisted that the members of its executive councils should be the premiers and actual executives, in order that the council should be truly representative and have power to act.

PROPER HEAD FOR NATION'S LEAGUE.

"It has been said that Mr. Wilson aspires to be president of the league of nations. If so, it is a proper aspiration. No one could fill that place better than the President of the United States, if such a league is formed. It should attach to the office and not to the person, of course, so that when Mr. Wilson retires he should give way to his successor. The disinterestedness of this country in respect to most questions arising from the decision and action of the league would make the American President a most fitting head.

"Again, it will help President Wilson to go to the conference. He will learn much of the European situation at first hand. He will have an unusual opportunity to study the possibilities of a league of nations, its practical difficulties and their solution. There is nothing like oral intimate discussion to winnow out real differences and to remove disagreements due to misunderstanding. Of course these views are predicated on all these national leaders having open minds, a willingness to consult, and a desire to agree. If any one of them holds himself aloof from the discussion and deliberation with fixed views on every topic, he would as well stay at home.

NO CONSTITUTIONAL OBJECTION.

"There is no constitutional inhibition, express or implied, to prevent the President's going abroad to discharge a function